

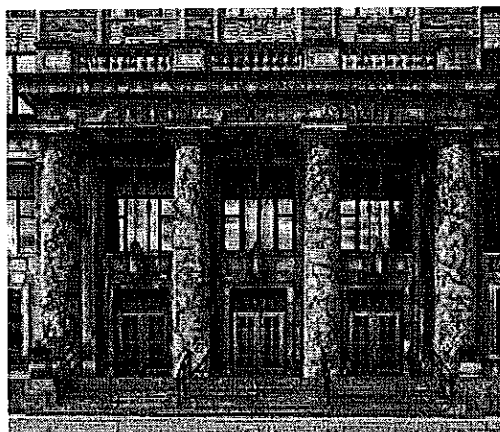


ALEC Chief Economist and VP of the Center for State Fiscal Reform joined a number of radio shows across the country to talk about the mission of the center and to promote the newest edition of **Rich States, Poor States**. Most recently, Williams joined the **Lincoln Radio Journal** in Pennsylvania, and **Red Meat Radio** in Utah alongside ALEC State Chair Representative Kim Coleman.

State Of The States Analysis

State of the States Analysis: The Mountain West and Beyond

Joel Griffith and Thurston Powers | Center for State Fiscal Reform



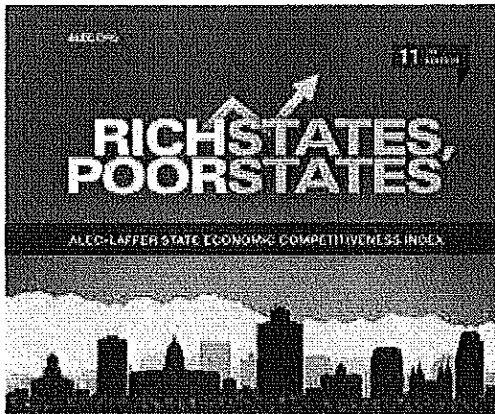
The Center for State Fiscal Reform continues its analysis of State of the State Addresses across the nation. These analyses highlight both strong and weak policies outlined in these speeches and how they may affect those states going forward. This week, the Center looked westward, analyzing **Alaska, Wyoming, Utah, New Mexico, Pennsylvania, and Washington**. To see all analyses to date, follow the link below.

[View Articles](#)

Rich States Poor States 11th Edition

Rich States, Poor States 11th Edition Has Been Released

Center For State Fiscal Reform



The 11th edition of *Rich States, Poor States* has been released. Check out www.richstatespoorstates.org to compare state data, historical trends and to see where your state ranks and why.

[View Publication](#)



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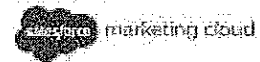


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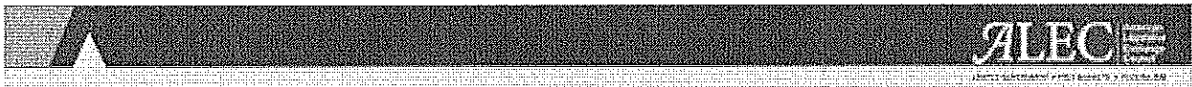


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ALEC Digital Exchange - May 3, 2018

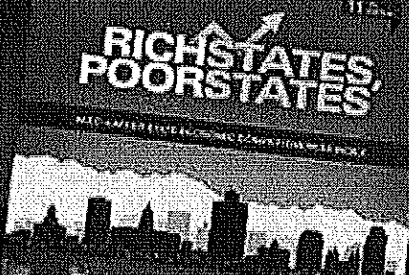


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STFS 2018

Thank You For Being a Part of Spring Task Force Summit



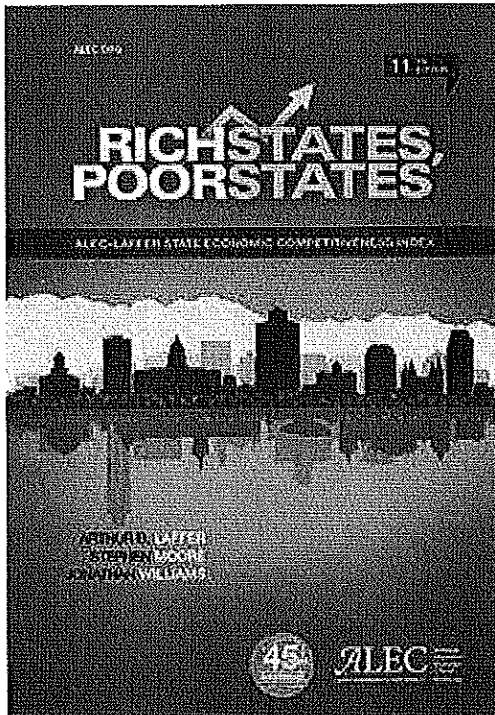
Thank you to everyone who attended the 2018 Spring Task Force Summit and contributed to a successful, informative and fun event. Legislators and private sector members met and discussed many important issues that face the states today and worked together to find new solutions.

In addition, ALEC was honored to host the kick off event of the **Job Creators Network #TaxCutsWork** Bus Tour at the summit and feature ALEC Chief Economist Jonathan Williams and National Chairman Rep. Jason Saine among their speakers.

Rich States, Poor States

The 11th Edition of *Rich States, Poor States* Has Been Released

American Legislative Exchange Council



ALEC is excited to present the 11th Edition of *Rich States Poor States*. Co-Authored by ALEC Chief Economist Jonathan Williams, White House Advisor Stephen Moore, and "Father of Supply-Side Economics" Dr. Arthur Laffer, *Rich States, Poor States* compares state economic data across 15 different factors to compile rankings for state economic outlook and economic performance.

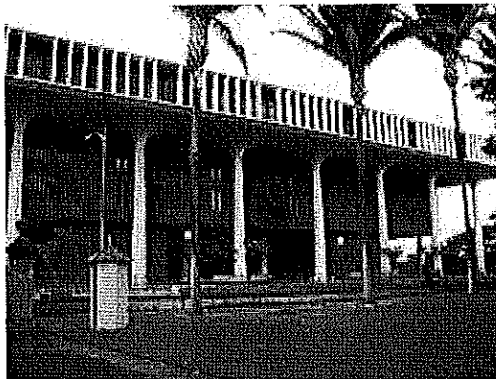
[Click here to visit richstatespoorstates.org](http://richstatespoorstates.org), where you can see the newest data, find where your state ranks and compare it against other states and historical trends to see the impact of tax reform and strong and weak economic policies.

[View Publication](#)

State of the State Analysis

Center For State Fiscal Reform Continues State of the State Analyses

American Legislative Exchange Council



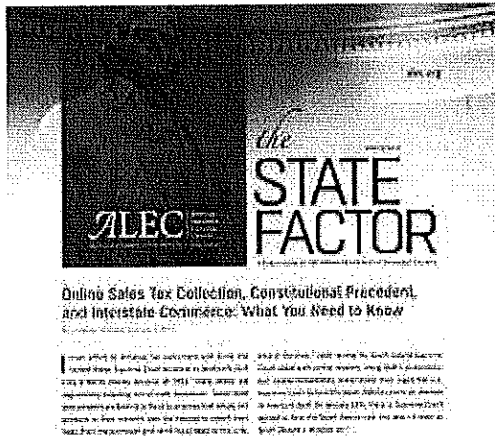
The Center For State Fiscal Reform continues its State of the State Analyses. These identify both strong and weak policies outlined in each governor's address and how they can have an effect on the state's economic outlook. New this week are [Hawaii](#), [Louisiana](#), [North Dakota](#), [Oklahoma](#), [Illinois](#), and [Minnesota](#). To see all articles to date, follow the link below.

[View Articles](#)

Online Sales Tax

Oral Arguments Heard in *South Dakota v. Wayfair*

American Legislative Exchange Council



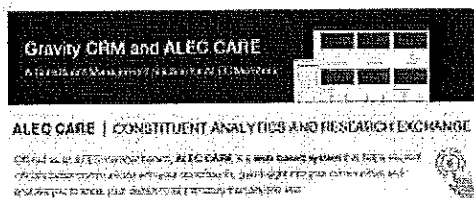
The United States Supreme Court recently heard oral arguments for the case of *South Dakota v. Wayfair*, which concerns the collection of online sales tax. ALEC has a variety of resources on the topic. ALEC has produced a **State Factor Publication** as well as an **Amicus Brief** submitted for the case.

[State Factor](#)

[Amicus Brief](#)

ALEC CARE

Manage Your Constituent Relations Quickly and Easily with ALEC CARE

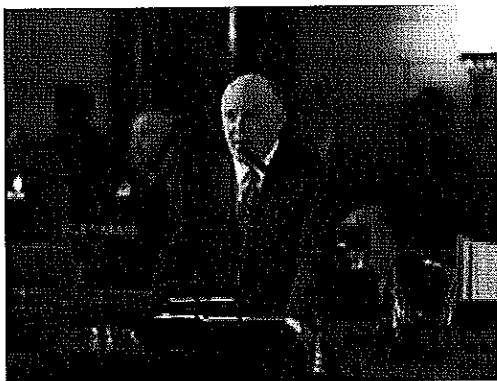


Did you know that ALEC has an online platform built just for you, to handle your day-to-day constituent interactions? We provide this benefit free to all members. Your new suite of tools allows you to be more effective legislators by having a permanent place for notes, issue tracking, and even outreach. Contact our C.A.R.E. Associate, Aaron Gillham, today at agillham@alec.org, to schedule a webinar and activate your personal account.

ALEC-FreedomWorks Legislator of the Week

Serving Taxpayers in Nebraska

Senator Jim Smith | NE-14



This week, ALEC and FreedomWorks introduce **Nebraska Senator Jim Smith**. Senator Smith is focused on making Nebraska more affordable and competitive with surrounding states. As such, he is a strong proponent of comprehensive tax reform, saying "Our corporate and individual income tax rates are not competitive with those of surrounding states, making it difficult to grow our economy, increase our state revenues, and lower our reliance on property taxes to fund local government."

[Read Article](#)



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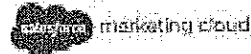


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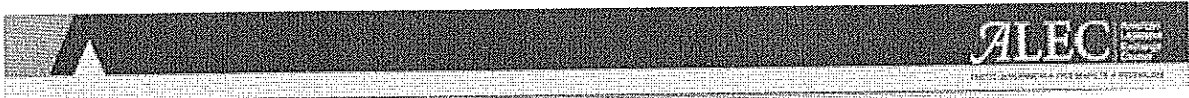
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Center to Restore the Balance of Government
May 8, 2018



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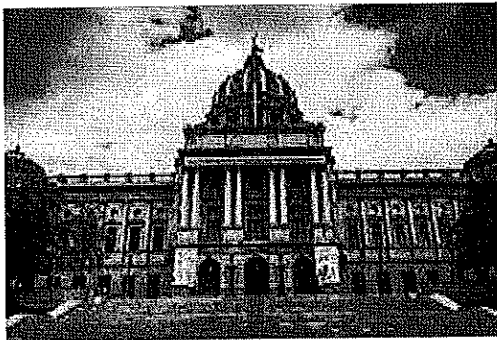


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Dispatch from the States

Judicial Overreach and Rewriting the Rules of the Game in Pennsylvania

Representative Cris Dush | PA-66

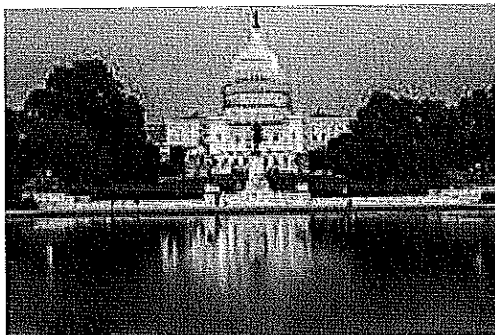


People inherently understand that competitive endeavors, whether sporting contests or elections need rules to function smoothly giving the rule makers a vital role in shaping the competition. In football, the referees are there to interpret the actions on the field according to previously established rules. Similarly, in small "r" republican governments, the courts serve as the referees in legal matters. Problems arise when the referees, or courts, make and interpret the rules. **[Read more here.](#)**

Focus on Federalism

"Draining the Swamp" in States' Backyards Starts with Grant Reform

Erin Tuttle | *American Principles Project*

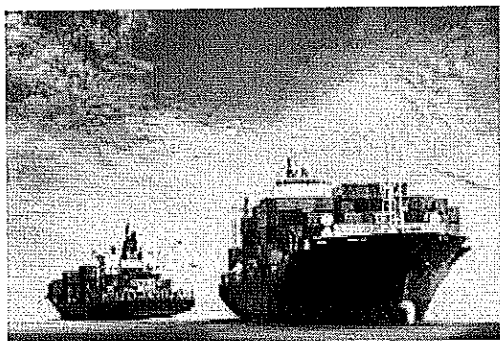


The passage of the country's second largest spending bill promises a windfall of federal money to states and localities. In many cases, this money will enable the state to address pressing financial needs. It also requires, however, that state legislators ask some questions. Who will control which of these grants come into your state and under what conditions? Who has a seat at the negotiation table? Will it be elected officials, accountable to the people? Or will it be unknown bureaucrats with their own agendas? And to get the money, what policies will these bureaucrats agree to that might impair your state's sovereignty to make its own decisions, or that might inflate state budgets in the long run? **[Read more here](#)** – model policy based on the concepts outlined in this article will be considered at a **Virtual Task Force Meeting of the Federalism Task Force on Wednesday, June 13.**

International Trade Benefits the States

Protectionism – Everything Old Is New Again

Karla Jones and Ian Cook | Federalism and International Relations Task Force



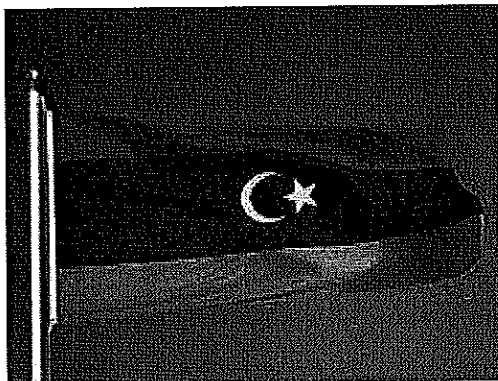
Too many U.S. policy makers have forgotten the lessons learned from protectionist impulses of the past as well as some that have survived to the present. America's current protectionist sugar policy has cost more jobs than it has preserved and led to higher prices on products that hardworking American families buy every day. *Sugar Subsidies: A Bitter Pill for the States to Swallow* describes the nation's **[misguided sugar protectionism here](#)**. America's most significant economic partners are aggressively pursuing new trade frameworks and updating old ones, and the U.S. risks being left behind. However, America is not the only country that appears to be succumbing to protectionist impulses. **[Read more here](#)** about Mexico's election where the frontrunner is a populist who has threatened to withdraw from NAFTA. Today's free market

advocates adopted a tactic from 1930 when 1,028 economists urged Congress not to adopt the Smoot-Hawley tariff. [Read more here](#) about a letter submitted to the President and Congress that was signed just last week by more than 1,100 economists voicing opposition to tariffs and protectionism. Ensuring that a free trade agreement is high standard is crucial to the success of a trading partnership. [Contact Karla Jones at **kjones@alec.org** to find out](#) about a letter signed by members of ALEC underscoring the importance of a strong Investor State Dispute Settlement (ISDS) chapter in a modernized NAFTA. [We're still collecting signatures -- The letter can be accessed here.](#)

International Democracy

A Dark Winter Descends on the Arab Spring: Libya Revisited

Ian Cook | Federalism and International Relations Task Force



After the hope and excitement for democracy in the Middle East in 2011, the only successful transfer of power from autocracy to democracy is in Tunisia. Its next door neighbor Libya has not been so lucky. [Read more here.](#)

Public Lands

Good News from the Department of the Interior on Access to Public Lands

Karla Jones | Federalism and International Relations Task Force



The U.S. Department of Interior has made announcements in the past month that while positive, underscore why transferring select portions of the vast tracts of federal land in the American West to state control is long overdue. [Read more about it here.](#)

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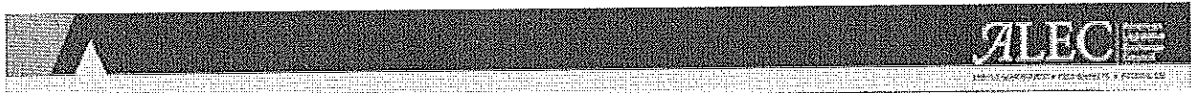
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ALEC Digital Exchange - May 10, 2018



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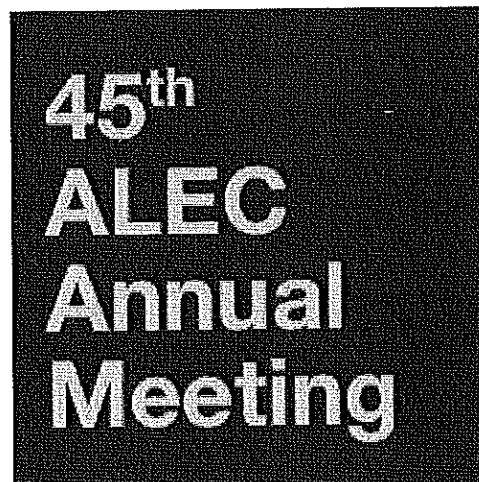


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The banner has a dark background with a city skyline at the bottom. The text "Is your state RICH or POOR?" is in large, bold, white letters. Below it, "Find out at www.RichStatesPoorStates.org" is written in a smaller white font. At the bottom left, it says "DOWNLOAD YOUR COPY NOW" with a download icon. On the right, there is a graphic of a book titled "RICH STATES POOR STATES" with an upward arrow and the subtitle "ALEC-UNITED STATE ECONOMIC COMPETITIVENESS INDEX".

45th ALEC Annual Meeting

Registration for the 45th ALEC Annual Meeting is Now Open



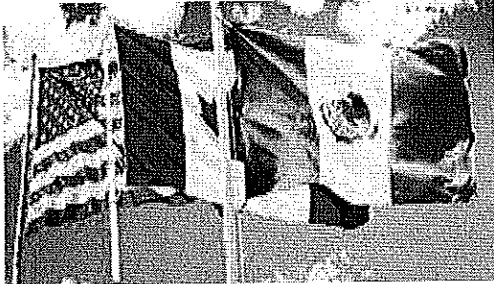
With a successful Spring Task Force Summit in the books, ALEC begins to look ahead to its flagship conference. **The 45th ALEC Annual Meeting will take place in New Orleans, LA from August 8-10. Registration for Annual Meeting is now open with Early Bird Rates in effect.** Book now to save. ALEC looks forward to seeing you in Louisiana.

Register Here

International Trade

Modernization of the North America Free Trade Agreement

Karla Jones | Federalism and International Relations



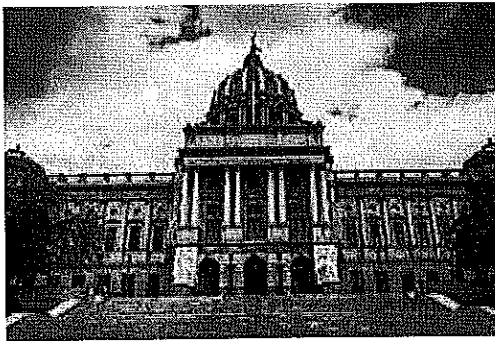
The American Legislative Exchange Council has produced a letter to the Executive Office regarding needed modernization of the North America Free Trade Agreement (NAFTA) while preserving the economic and commercial benefits of the agreement.

[Read Letter](#)

Legislator Voices

Dispatch from the States: Judicial Overreach and Rewriting the Rules in the Middle of the Game in Pennsylvania

Representative Cris Dush | PA-66

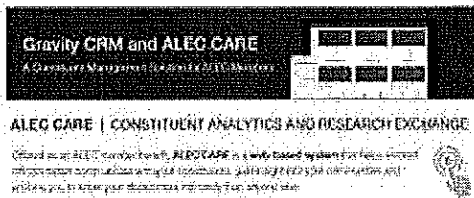


On January 22, 2018, the Pennsylvania Supreme Court decided the role of referee wasn't good enough. The Court announced that it would usurp power lawfully held by the owners of the Constitution (The People) to create its own piece of law by drawing a new Congressional District Map for the Commonwealth. This was a clear violation of its authority in its role as "referee" of the law.

[Read Article](#)

ALEC CARE

Constituent Relations at Your Fingertips with ALEC CARE



As an ALEC member you receive access to an online system for all constituent management needs. Track issues of concern, take notes regarding constituent calls, and even execute your own surveys to better know how to position yourself on key issues in your district. To activate your personal account, and schedule an online webinar to review the platform, contact our C.A.R.E. Associate, Aaron Gillham, at agillham@alec.org.

State of the State Analysis

Center For State Fiscal Reform Continues State of the State Analyses

Christine Smith | Center for State Fiscal Reform



The Center For State Fiscal Reform continues its State of the State Analyses. These identify both strong and weak policies outlined in each governor's address and how they can have an effect on the state's economic outlook. New this week are **Wisconsin** and **Ohio**. To view all analyses, follow the link below.

[Click here to visit richstatespoorstates.org](http://richstatespoorstates.org), where you can see the newest data, find where your state ranks and compare it against other states and historical trends to see the impact of tax reform and strong and weak economic policies.

View Articles

ALEC-FreedomWorks Legislator of the Week

Driving Economic Growth in Virginia

Delegate Kathy Byron | VA-22



This week, ALEC and FreedomWorks introduce **Virginia Delegate Kathy Byron**. As an owner and operator of a small business for 26 years, Delegate Byron has seen how restrictive overregulation can hamstring an otherwise vibrant economy. To that end, she has helped to create Workforce Opportunity Grants and continues to work to eliminate archaic policies that stifle economic opportunity.

[Read Article](#)



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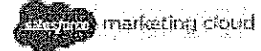


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PUBLIC
POLICY

LEX MACHINA - 2018 Top Law Firm Report for Select Federal Litigation

Rankings across all of Lex Machina's practice area modules – patent, antitrust, employment, product liability, securities, and more – on the firms that have filed and defended the most cases. Request your copy here.

Friday, May 11, 2018



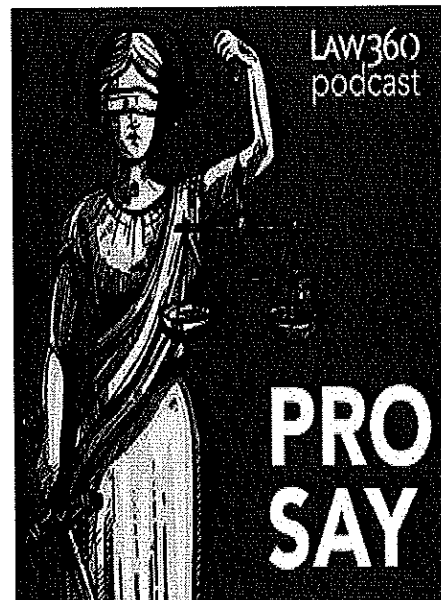
TOP NEWS

EXCLUSIVE: Immigration Court Overhaul Outlined In Draft Bill

Sen. Kirsten Gillibrand, D-N.Y., is considering introducing sweeping legislation to overhaul the nation's immigration court system by establishing independent tribunals with trial and appellate divisions, according to a draft of the bill obtained exclusively by Law360 on Thursday. [Read more »](#)

Cleary, Skadden, Sidley Vets Among Latest Judicial Picks

President Donald Trump launched another bloc of court nominees Thursday, announcing picks for the Ninth Circuit and district courts in New York, Pennsylvania and Alabama, including a partner from Cleary Gottlieb Steen & Hamilton LLP and veterans of Skadden Arps



[Listen to our new podcast here](#)

LAW FIRMS

Slate Meagher & Flom, Simpson Thacher & Bartlett and Sidley Austin LLP. [Read more »](#)

Gass Weber Partner Overcomes Dems For 7th Circ. Seat

The Senate confirmed Gass Weber Mullins LLC partner Michael Brennan to a post on the Seventh Circuit on Thursday, despite Democrats' complaints that the appointment violated traditional U.S. Senate deference to home-state senators. [Read more »](#)

Starn O'Toole Vet Makes Headway Toward 9th Circ. Bench

President Donald Trump's choice for a Ninth Circuit vacancy sailed through the Senate Judiciary Committee with bipartisan support Thursday, putting one of the president's picks for the high-profile court on the Senate floor for the first time. [Read more »](#)

Feature

Trump To Unveil 4-Point Plan For Curbing Drug Prices

President Donald Trump on Friday will target drug prices with a four-point plan intended to boost the negotiating power of private Medicare plans, reduce list prices, ease out-of-pocket costs and tackle "freeloading" by countries that more aggressively limit prices, according to senior administration officials. [Read more »](#)

Analysis

New Tax Law's Impact On M&A Coming Into Focus

The new federal tax law was expected to change how deals get structured, and four months after its enactment, it is becoming clear how the legislation is having an impact on negotiations and tax planning strategies. [Read more »](#)

Giuliani Resigns From Greenberg Traurig Amid Trump Work

Addleshaw Goddard

Arnold & Porter

Bailey Cavalieri

Baker McKenzie

Bancroft PLLC

Barnes & Thornburg

Bienert Miller

Birch Horton

Blank Rome

Bracewell

Bricker & Eckler

Bryan Cave

Butler Snow LLP

Carter Ledyard

Cary Kane

Cleary Gottlieb

Cotsirilos Tighe

Covington & Burling

DLA Piper

Dechert

Dentons

Dickstein Shapiro

Dilworth Paxson

Dinsmore & Shohl

Earthjustice

Foley & Lardner

Fredrikson & Byron

Gass Weber

Gibson Dunn

Greenberg Traurig

Herbert Smith Freehills

Hodgson Russ

Hogan Lovells

Holland & Knight

Jones Day

Kaeske Law Firm

Kessler Topaz

Kirkland & Ellis

Former federal prosecutor and New York City mayor Rudy Giuliani has resigned from Greenberg Traurig LLP just weeks after he joined President Donald Trump's legal team, the law firm confirmed on Thursday. Read more »

BANKING & SECURITIES

Crypto-Mining Poses Tax Headache For IRS, Panelist Says

The proliferation of cryptocurrency mining represents a tax administration hurdle for the Internal Revenue Service, an attorney with the agency told a conference audience Thursday in Washington, D.C. Read more »

SEC Opens 'Best Interest' Broker Proposal To Public Comment

The U.S. Securities and Exchange Commission on Wednesday opened the public comment period on its proposal to hold brokers to a higher standard of care if they are giving advice to retail investors. Read more »

ENERGY & ENVIRONMENTAL

Analysis

State-Federal Rift Pushes Power Markets To Breaking Point

Backlash against regional grid operator PJM Interconnection LLC's recent proposal to blunt the impact of state subsidies for clean energy in so-called capacity markets where power producers are paid to meet future demand highlights growing tensions between state and federal electricity policies that have experts questioning whether these markets have a viable future. Read more »

Trump Policies And More Leave Oil Prices A Hazy Unknown

The fate of oil prices over the next year is hazy and fraught with potential volatility thanks to a cocktail of factors ranging from Trump administration policies, including the decision

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Law Office of Louise A. Herman
Linklaters
Mayer Brown
McDermott Will
Miller & Chevalier
Miller Mayer
Mishcon de Reya
Morgan Lewis
Morrison & Foerster
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Ogletree Deakins
Perkins Coie
Prickett Jones
Proskauer Rose
Quinn Emanuel
Sanford Heisler
Sedgwick LLP
Shipman & Goodwin
Sidley Austin
Simpson Thacher
Skadden
Starn O'Toole
Steptoe & Johnson LLP
Wallace & Graham
Wilkinson Barker

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American Bar Association
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American Immigration Lawyers Association
American Legislative Exchange Council
American Trucking Associations Inc.
Apple Inc.

to pull out of the Iran nuclear deal, to decreased production out of Venezuela and constraints on the Permian Basin, experts told oil and gas industry professionals gathered in Houston on Thursday. [Read more »](#)

EPA Floats Overhaul Of National Ozone Limits Review

The U.S. Environmental Protection Agency on Thursday said it will overhaul how it reviews national ozone limits by considering a range of adverse effects including economic and energy-related ones, following President Donald Trump's demand that the agency make it easier for states and industries to comply with national air emissions standards. [Read more »](#)

Enviros' CRA Challenge Over Nixed Hunting Rule Gets Tossed

A federal judge on Wednesday threw out a lawsuit brought by an environmental group to challenge the constitutionality of the Congressional Review Act after it was used under the Trump administration to roll back a U.S. Fish and Wildlife Service rule prohibiting certain hunting and trapping practices on protected federal lands in Alaska. [Read more »](#)

Feds Say Youth Climate Suit Defies Separation Of Powers

The federal government urged an Oregon federal judge Wednesday to toss a suit accusing federal agencies and the president of failing to protect future generations from the effects of climate change, arguing the relief sought in the case would violate the Constitution's separation of powers. [Read more »](#)

REAL ESTATE

Judge Stops Clock As Ohio Fights To Retain Soccer Team

An Ohio judge has stopped the clock on the statutory period during which the Columbus

Boehringer Ingelheim
Boston Scientific Corporation
Center for Biological Diversity Inc.
Center for Strategic and International Studies
Commerce and Industry Association of New Jersey
Electric Reliability Council of Texas Inc.
Enbridge
Expedia Inc.
Facebook
Federal Bar Association
Federation for American Immigration Reform
Financial Industry Regulatory Authority Inc.
Finjan Holdings Inc.
Fitbit Inc.
Flipkart Internet Pvt. Ltd.
Fortress Investment Group LLC
Hobby Lobby Stores
ISO New England Inc.
Immigration Reform Law Institute
Intellicheck Mobilisa Inc.
International Brotherhood of Teamsters
MAPFRE SA
MGM Grand Hotel LLC
MGM Resorts International
Major League Soccer LLC
McAfee, Inc.
Melaleuca Inc.
Microsoft Corporation
Mohegan Sun
NFL Enterprises LLC
National Rifle Association of America
National Right to Work Legal Defense Foundation

Crew soccer team must field offers from potential buyers before it moves to Texas, in a case with implications on states' influence over sports teams that have received public assistance. [Read more »](#)

EMPLOYMENT

NLRB Members Signal Plans To Review Blocking-Charge Rule

Two Republican members of the National Labor Relations Board signaled Wednesday that the agency may soon revisit its decades-old policy of pausing union elections when a party alleges that workers' freedom to choose whether they want to be represented by a union has been infringed. [Read more »](#)

NJ Lawmakers Advance Bill Limiting Noncompete Agreements

A New Jersey Assembly panel on Thursday advanced legislation to limit the scope of noncompete agreements amid concerns that the measure would jeopardize companies' efforts to protect their confidential information and drive away businesses from the state. [Read more »](#)

CYBERSECURITY & PRIVACY

As GDPR Looms, UK Biz Get Guidance On Consent Rules

The U.K.'s privacy regulator has issued its final guidance to businesses that will need to gain consent to process personal data under the European Union's General Data Protection Regulation, a sweeping new data regime that comes into force in just two weeks. [Read more »](#)

CONSUMER PROTECTION

Law Firm Cites Mulvaney In 9th Circ. Challenge To CFPB

A California law firm that's asking the Ninth Circuit to free it from a Consumer Financial

Nevro Corp.

PJM Interconnection LLC

Pacific Legal Foundation

Professional Insurance Agents

QUALCOMM Incorporated

SK Hynix Inc.

Savills Studley Inc.

Schlumberger Limited

Shire PLC

Southwest Power Pool Inc.

State Bar of California

Takeda Pharmaceutical Co. Ltd.

Talen Energy Corp.

TripAdvisor Inc.

United Mine Workers of America

Viking Global Investors

Wal-Mart Stores Inc.

Wells Fargo & Co.

Zillow Inc.

GOVERNMENT AGENCIES

Army Corps of Engineers

Bureau of Citizenship and
Immigration Services

Central Intelligence Agency

Connecticut General Assembly
Consumer Financial Protection
Bureau

European Union

Executive Office for Immigration
Review

Executive Office of the President

Federal Aviation Administration

Federal Bureau of Investigation

Federal Communications
Commission

Federal Energy Regulatory
Commission

Federal Trade Commission

Fish and Wildlife Service

Protection Bureau civil investigative demand pressed its challenge to the constitutionality of the agency's structure on Wednesday, citing recent criticism from CFPB acting Director Mick Mulvaney that the agency he leads "is far too powerful." [Read more »](#)

GOVERNMENT CONTRACTS

Attys Who Sued Hastert In FCA Row Spared Sanctions

Attorneys representing a would-be whistleblower in a False Claims Act suit against former U.S. House Speaker Dennis Hastert will not be sanctioned for filing the suit after settling the dispute with Hastert, an Illinois federal judge ruled Wednesday. [Read more »](#)

AEROSPACE & DEFENSE

Analysis

Iran Deal Exit To Cast Shadow Over Future Negotiations

President Donald Trump's decision to withdraw from the 2015 Iran nuclear deal has cast the U.S. as an unreliable ally and negotiator in the eyes of both allies and adversaries, and the effects on future international deals will be hard to shake, attorneys say. [Read more »](#)

Trump's Military Parade Stays In \$717B House Defense Bill

The House Armed Services Committee wrapped up consideration of its \$717 billion version of the 2019 National Defense Authorization Act early Thursday, with the final bill continuing to support President Donald Trump's proposed military parade, among several contentious clauses. [Read more »](#)

INTERNATIONAL TRADE

Commerce Chief Ross Upbeat On China Trade Talks

Commerce Secretary Wilbur Ross said Thursday that he was optimistic about the

Food and Drug Administration
Government Accountability Office
Internal Revenue Service
Leech Lake Band of Ojibwe
Mashantucket Pequot Tribal Nation
Mohegan Tribe
NAFTA
National Labor Relations Board
Port Authority of New York & New Jersey
Securities and Exchange Commission
Solicitors Regulation Authority
U.S. Air Force
U.S. Army
U.S. Attorney's Office
U.S. Department of Defense
U.S. Department of Energy
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of the Interior
U.S. Department of the Treasury
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Patent and Trademark Office
U.S. Senate
U.S. Supreme Court
United States Court of Appeals for the Third Circuit
World Trade Organization

Trump administration's ongoing trade discussions with China on everything from industrial policy to intellectual property rules, saying that last week's trip to Beijing laid a solid foundation for future talks. [Read more »](#)

State Lawmakers Rally For NAFTA Investment Protection

As officials negotiating the North American Free Trade Agreement continued to huddle in Washington, D.C., Thursday to strike a final deal, a slew of state legislators pressed them to secure the agreement's controversial arbitration system for foreign investors. [Read more »](#)

BANKRUPTCY

GAO Proposes Tightening Debt To Address Puerto Rico Crisis

The Government Accountability Office has suggested increased federal regulation of Puerto Rico's issuing of debt will help it recover from its debt crisis, with the territory countering that the federal office overlooked the structural inequality underlying its financial condition. [Read more »](#)

IMMIGRATION

Analysis

3 Immigration Rules To Watch In Trump's Spring Agenda

The Trump administration published its spring regulatory agenda on Wednesday, highlighting proposed policies that would implement key structural changes at the office that oversees immigration courts, increase investment requirements for EB-5 visas and revoke a visa program for entrepreneurs. Here, immigration attorneys examine the key provisions to watch in the coming months. [Read more »](#)

Open Immigration Cases Increase, DOJ Unit's Report Says

The number of pending immigration cases increased by 7 percent during the first six months of the current fiscal year, while the median completion time for cases involving detainees continued to tick down, according to new statistics from the federal Executive Office for Immigration Review. [Read more »](#)

Immigration Group Sues 2nd Ind. City Over Welcoming Policy

The legal arm of an organization that calls for lower immigration levels on Wednesday filed its second lawsuit challenging the legality of ordinances in Indiana communities that call for the towns to be welcoming to immigrants and for authorities to not cooperate with federal immigration-related requests unaccompanied by court orders. [Read more »](#)

NATIVE AMERICAN

Enbridge, Tribe Slam ALJ Report Rejecting New Pipeline Route

The company behind a pipeline replacement project on Wednesday opposed an administrative law judge's recommendation that the company's new pipeline should be constructed only on the route of the one already there, a sentiment echoed by a Native American band. [Read more »](#)

Conn. Tribal Casino Plan Gets Boost As Rival Bill Falls Short

The Connecticut General Assembly ended its legislative session late Wednesday without voting on a bill that could have paved the way for a proposed MGM Resorts casino in Bridgeport, a project that would have posed a major obstacle to the Mohegan and Mashantucket Pequot's own plans to open a new casino in the state. [Read more = 2](#)

TELECOMMUNICATIONS

FCC Refuses To Reduce \$120M Robocalling Fine

The Federal Communications Commission on Thursday cemented a \$120 million spoofing fine against a Miami man, voting to ink the previously proposed penalty after finding that Adrian Abramovich's robocalling activity and former Telephone Consumer Protection Act violations were enough to merit the full amount. [Read more »](#)

Net Neutrality Sunset Date Set For June

The Obama-era net neutrality rules that controlled how internet service providers treated online traffic and classified internet services as utilities will officially be wiped from the books on June 11, the Federal Communications Commission said Thursday morning. [Read more »](#)

GWB Figures Say Salary Expenses Can't Sustain Convictions

Two former associates of ex-New Jersey Gov. Chris Christie told the Third Circuit on Wednesday that prosecutors have not proven they misused government resources worth at least \$5,000 in causing politically motivated gridlock at the George Washington Bridge, marking the threshold needed to sustain some of their convictions in the scandal. [Read more »](#)

PEOPLE

Dechert Adds Ex-White House Atty To Litigation Team

Dechert LLP has strengthened its global litigation practice with the addition of a former White House attorney who successfully steered Neil Gorsuch to his confirmation as a U.S. Supreme Court justice last year and helped the NFL spike Tom Brady's challenge to his suspension over the "Deflategate" scandal. [Read more »](#)

EXPERT ANALYSIS

Congressional Forecast: May

Congress returned to Washington, D.C., this week for a three-week work period before the Memorial Day recess. The Republican majority is aiming to meet deadlines on several priority items, including fiscal year 2019 appropriations bills and renewed program authorizations for agriculture, defense and the Federal Aviation Administration, say Layth Elhassani and Kaitlyn McClure of Covington & Burling LLP. [Read more »](#)

Growing Caregiver Benefits In The US Workplace And Beyond

As Mother's Day approaches and more initiatives in the U.S. and around the world are aimed at increasing opportunities at work for working mothers (and caregivers more generally), attorneys with Baker McKenzie discuss recent benefits made available to these employees and review updates multinational employers need to know. [Read more »](#)

The District Court Split On Pleading Indirect Infringement

District courts have diverged over the years as to what the proper standards should be for pleading indirect patent infringement. The Federal Circuit or Congress should resolve this inconsistency, says Joseph Saltiel of Dinsmore & Shohl LLP. [Read more »](#)

8 Reasons To Take A Fresh Look At Your Law Office Lease

After moving into a new law office, tenants often file their signed leases away, figuring that the terms are set for a few years at least. However, leases can be very flexible instruments, and should be reviewed annually even if nothing seems amiss, says Tiffany Winne of Savills Studley Inc. [Read more »](#)

LEGAL INDUSTRY

Titan Of The Plaintiffs Bar: Sanford Heisler's David Sanford

David Sanford of Sanford Heisler Sharp LLP enhanced his already prodigious reputation as a top-tier plaintiffs' side attorney over the past year by working to resolve high-profile gender discrimination suits against Chadbourne & Parke LLP and Sedgwick LLP, earning him a place among Law360's 2018 Titans of the Plaintiffs Bar. [Read more »](#)

Review

'RBG' An Intriguing Look At The Most Meme-Worthy Justice

The new documentary "RBG" paints an entertaining portrait of U.S. Supreme Court Justice Ruth Bader Ginsburg and her contributions to American law and society, even as the film suggests that some of her most important work happened decades before she joined the high court. [Read more »](#)

Quinn Emanuel Ousts UK Atty After Misconduct Allegations

Quinn Emanuel Urquhart & Sullivan LLP dismissed a London partner without pay on Tuesday following an investigation into allegations of improper behavior brought by two staffers, the firm said in a statement. [Read more »](#)

Calif. High Court Approves Rules Revamp For Atty Conduct

For the first time since 1987, the California Supreme Court on Thursday approved major revisions to the rules of professional conduct for in-state attorneys, adding new guidelines that address advertising, conflicts of interest, sexual relations with clients, and a host of other concerns. [Read more »](#)

For-Profit Law School Sues ABA Over Enforcement Action

Florida Coastal School of Law filed suit Thursday against the American Bar Association, which recently determined the

school had failed to meet ABA standards, saying the association's enforcement actions have been inconsistent, its standards are vague and that the action against Florida Coastal was an "attack on diversity." Read more »

Law360's Weekly Verdict: Legal Lions & Lambs

Linklaters snagged the title of top legal lion this week, guiding Takeda in its \$62.1 billion acquisition of rare disease-focused drugmaker Shire, while Arnold & Porter ended up on the legal lambs list after a federal judge sanctioned the law firm for filing frivolous motions on behalf of Boston Scientific in a patent infringement suit. Read more »

JOBS

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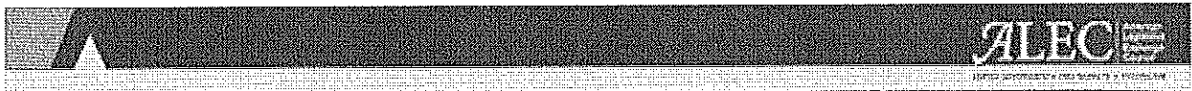
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Events and Education - May 15, 2018



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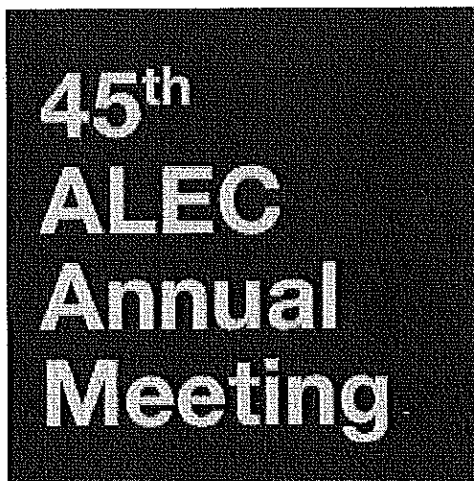


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ALEC 45th Annual Meeting

45th Annual Meeting Registration Now Open

American Legislative Exchange Council



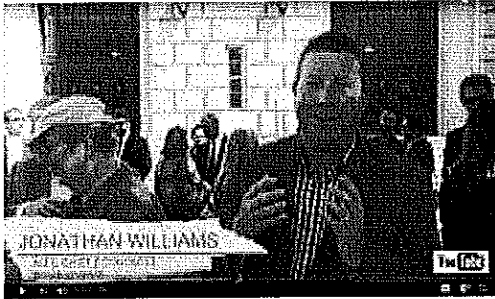
Registration is now open for the **45th ALEC Annual Meeting**. The meeting will take place **August 8-10 in New Orleans, LA**. To register, or to learn more about the event, follow the link below to the meeting page. ALEC looks forward to seeing you in New Orleans.

[Register Here](#)

ALEC In the News

Tax Reform's Second Windfall is Occurring at the State Level

Jonathan Williams | Center for State Fiscal Reform | *The Hill*



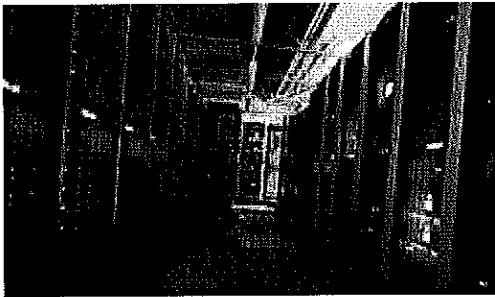
The untold story of federal tax reform's success is the opportunity the new law has provided policymakers across America's 50 "laboratories of democracy," where unexpected tax receipts that are directly linked to changes in the federal tax code have been a game changer in many state capitols this year.

[Read Article](#)

Innovation and Technology

Lessons from GDPR: Regulations Harm Consumers by Reducing Options

Jonathon Hauenschild | Communications and Technology

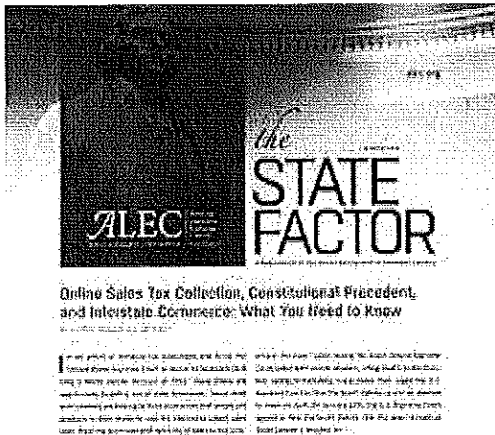


Government attitudes toward technology are changing. A number of legislators, from both the right and left, want to find ways to regulate the sector. This is especially true regarding online platforms. Governments sell most regulatory schemes to the public as "for the benefit of the consumer." But what benefits the consumer most, overbearing government regulatory schemes or increased competition?

[Read Article](#)

Online Sales Tax

What You Need To Know About *South Dakota v. Wayfair* and Online Sales Tax



The U.S. Supreme Court heard oral arguments last month for *South Dakota v. Wayfair*, which concerns the collection of online sales tax. ALEC has followed the issue closely and has produced helpful materials for anyone trying to further understand or work on the topic. ALEC has produced both a **State Factor Report** and an **Amicus Brief** dealing with Online Sales Tax and the *Wayfair* case.

State Factor

Amicus Brief



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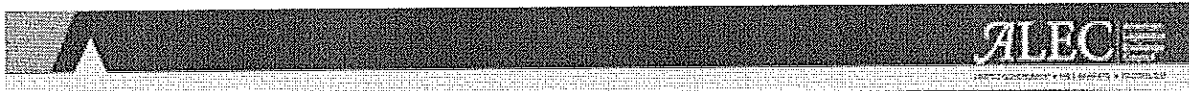


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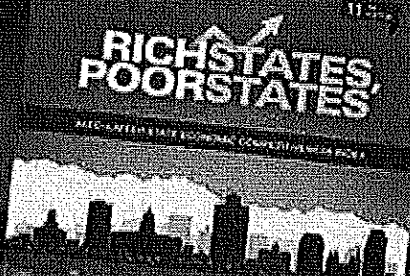
From: American Legislative Exchange Council
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To: Rep48
Subject: This Week At ALEC - 5/17/2017

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Is your state RICH or POOR?
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The image shows the cover of a report titled "RICH STATES, POOR STATES" with an upward-pointing arrow. Below the title, it says "ALEC-ENTER STATE ECONOMIC COMPETITIVENESS POLICY". The cover also features a silhouette of a city skyline.

ALEC Digital Exchange - May 17, 2018



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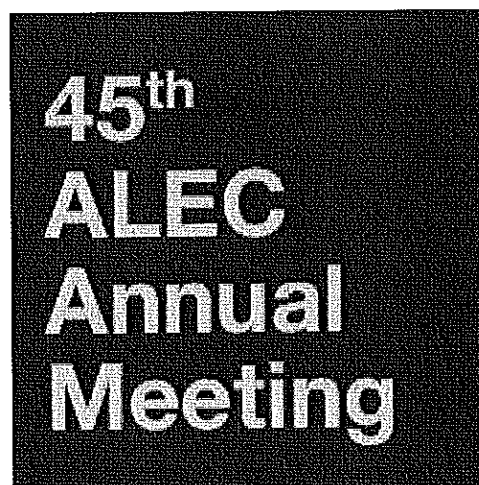


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Tax Reform's Second Windfall is Occurring at the State Level

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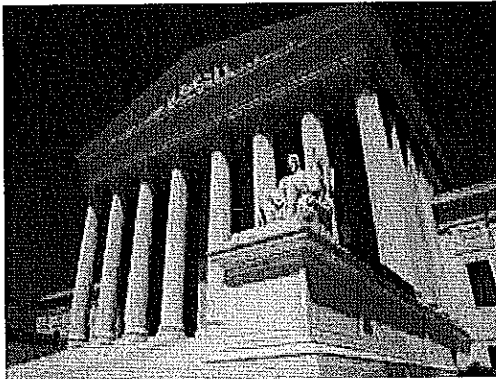
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[Read Article](#)

Expert Insight

Supreme Court Strikes Down Federal Law that Prevented Gambling On Sports

Ronald J. Lampard | American Legislative Exchange Council



States now have the authority to legalize sports gambling. The United States Supreme Court struck down the Professional and Amateur Sports Protection Act (PASPA) on 10th Amendment and anti-commandeering grounds. Ultimately, now states and sovereign tribal nations will have the authority to decide whether or not to permit sports betting in their respective territories.

[Read Article](#)

Innovation and Technology

Lessons from GDPR: Regulations Harm Consumers by Reducing Options

Jonathon Hauenschild | Communications and Technology



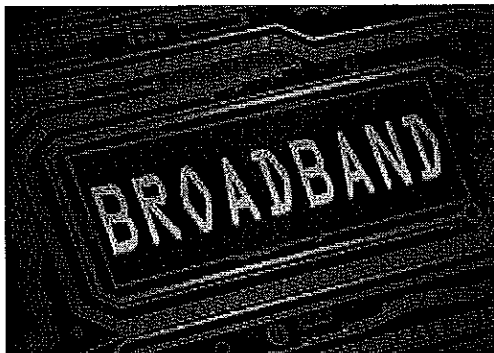
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[Read Article](#)

Regulation in Innovation

Democrats Hope to Restore Heavy-Handed Internet Regulations Through Senate Vote

Jonathon Hauenschild | Communications and Technology

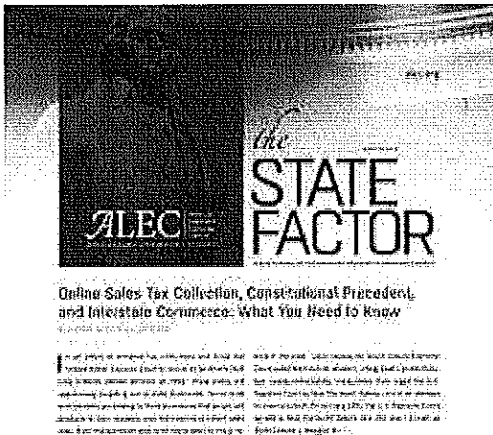


Unless there is a legislative solution, the regulatory back-and-forth is likely to continue. An FCC controlled by a Democratic administration is likely to attempt to reinstate the burdensome Title II rules, while a Republican-controlled FCC is likely to respect Congress’s wish to have an internet “unfettered by federal or state regulations.” Legislation will give internet access providers the certainty they need, and it will end the regulatory back-and-forth.

[Read Article](#)

Online Sales Tax

What You Need To Know About *South Dakota v. Wayfair* and Online Sales Tax



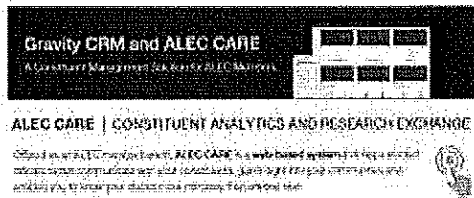
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State Factor

Amicus Brief

ALEC CARE

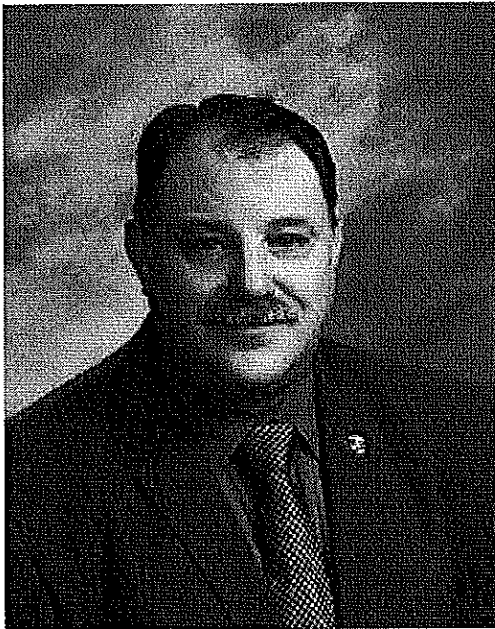
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ALEC-FreedomWorks Legislator of the Week

Driving Opportunity in South Dakota
Representative Michael Clark | SD-9



This week, ALEC and Freedomworks recognize **South Dakota State Representative Michael Clark** as the Legislator of the Week. Representative Clark is a military veteran who decided to get involved in his district when no one else would "pick up the ball." He values the importance of creating a strong foundation for both government and opportunity to thrive in his state.

[Read Article](#)



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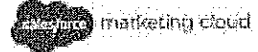


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From: MPEN Ohio
Sent: Tuesday, May 22, 2018 12:51 AM
To: Rep48
Subject: MPEN e-Newsletter NO. 2018-05-21

MPEN e-Newsletter NO. 2018-05-21

- FW: Trump called immigrants "animals." What are Republicans doing?
- FW: "Sh*&hole countries". "Animals". Trump's Xenophobia Cannot Be The New Normal
- FW: We WON in the Senate! Now tell the House: Keep a free and open Internet
- FW: Republicans APPROVE Trump's military parade
- FW: Last night's results - WOW!
- FW: The Kochs, Adelson, ALEC...
- FW: Cohn-The Original Trump; How delightfully descriptive!
- FW: this lawsuit could EXPOSE Trump's Judges
- FW: Why Some Teachers can't Use Social Security; Health Care; #45 vs #43 - Which Was Worse?
- FW: Grim poll numbers

From: Paul Hogarth, Daily Kos
Subject: Trump called immigrants "animals." What are Republicans doing? (please read)



Munsup, [sign the petition to all Republican politicians: Condemn Trump's comments calling undocumented immigrants "animals."](#)

[Sign the petition](#)

During an immigration roundtable at the White House about California's role as a sanctuary state, Donald Trump said undocumented immigrants are "animals."

His exact words? "We're taking people out of the country, you wouldn't believe how bad these people are. **These aren't people. These are animals.**"

Calling people of color "animals" has a deep, racist history. It's a white supremacist tactic meant to portray marginalized people as subhuman—making it easier for oppressors to inflict violence upon them.

[Click to AUTOMATICALLY sign the petition to all Republicans: Condemn Trump's "animals" comment.](#)

[Click to AUTOMATICALLY sign the petition](#)

Donald Trump is irredeemable—we all know that. But Republicans in Congress are the ones who repeatedly enable him, and have given him the immense power he now has.

The "animals" comment is a bridge too far. Either Republicans are with him—and support Trump's campaign to portray immigrants as subhuman—or they make a public rejection.

Click to AUTOMATICALLY tell Republican politicians they must publicly condemn Trump's comments calling undocumented immigrants = 2animals."

Click to AUTOMATICALLY sign the petition

Our Message to Republican politicians: Condemn Trump's comments calling undocumented immigrants "animals." You cannot stay silent while Trump continues this violent crusade.

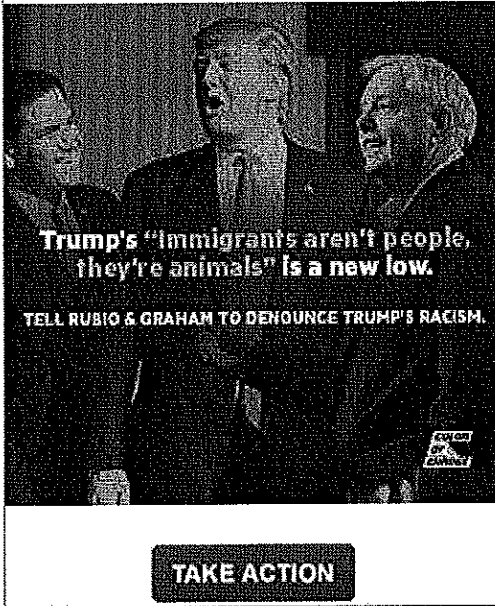
By signing this petition you will receive periodic updates on offers and activism opportunities from Daily Kos. You may unsubscribe at any time. Here's our privacy policy.

From: Jade, Brandi, Rashad, Arisha, Evan, Johnny, Future, Angela, Corina, Chad, Mary, Saréya, Eesha,

and the rest of the Color Of Change team

Subject: "Sh*&hole countries". "Animals". Trump's Xenophobia Cannot Be The New Normal.

Demand Senators Marco Rubio and Lindsey Graham take a public moral stance against Trump's hateful rhetoric. Join us.



Yesterday, at a White House meeting with local California leaders opposed to "sanctuary city" policies, Donald Trump made one of his most offensive comments yet. In front of countless sheriffs, cameras, and members of the press, he said that immigrants "are not people, they're animals."¹ **That's right--the President of the United States referred to millions of human beings as animals.**

This isn't the first time Trump has glibly insulted marginalized communities. From calling Mexican immigrants "rapists" to African nations "sh*tholes", Trump has rarely missed an opportunity to categorize Black and Brown people as less than human.² **To make matters worse, Republican Senators Lindsey Graham and Marco Rubio—who have famously supported DACA and claim to care deeply about immigrants have remained mum on Trump's latest attack.**³

Enough is enough. Tell "pro-immigrant" Republican leaders to denounce Trump's statement now!

Rubio and Graham have had plenty of time to take to Twitter today to insult other world leaders—but have refused to denounce Trump's dehumanizing attack on immigrants. This deafening silence as millions of people are insulted by the Commander-In-Chief is yet another indicator of how Trump's disgusting rhetoric

has become normalized on the public stage. After all, both Lindsey Graham and Marco Rubio were vehement anti-Trumpers; first claiming he was unfit to be President, then falling into line after he was elected—bragging about playing golf with him and proudly endorsing his damaging policies.⁴

If Graham and Rubio remain silent and refuse to reject the characterization of immigrants as "animals", they are complicit in upholding a hostile political climate. Their silence enables violence that we see being enacted now on a policy level. Since Trump's election, the immigration gains activists made in previous administrations have been massively rolled back with several attempts at a Muslim ban, the expansion of ICE agents' abilities to detain and deport any undocumented immigrant, and the appointment white nationalists to ICE.⁵ Just this week, Trump's administration just announced that they're gearing up to tear immigrant children away from their parents and hold them alone on military bases.⁶

Tell Senators Marco Rubio and Lindsey Graham to stop playing the middle and denounce Trump's attack on immigrants now!

We know that Trump's public attacks on marginalized communities have disturbing real-life consequences. **The Southern Poverty Law Center reported the second straight year of hate crime increases—largely due in part to “The Trump Effect: with a tripling of anti-Muslim hate groups since 2016 and surges of hate crimes nationwide.”**⁷

Now more than ever, leaders must take a stand against the status quo and defend the most vulnerable among us.

Tell Marco Rubio and Lindsey Graham to denounce Trump's statements now.

References:

1. Trump calls some unauthorized immigrants "Animals" in Rant. 17 May 2018. New York Times. <https://act.colorofchange.org/go/50361?t=11&akid=12728%2E239715%2E6RDKiS>
2. Trump doesn't need to explain which immigrants he thinks are "animals". 17 May 2018. Slate. <https://act.colorofchange.org/go/53137?t=13&akid=12728%2E239715%2E6RDKiS>
3. More than 30 senators join push for immigration deal. 24 January 2018. The Hill. <http://act.colorofchange.org/go/53138?t=D15&akid=12728%2E239715%2E6RDKiS>

4. Lindsey Graham offers details on Trump's round of 73. 11 October 2017. Golf Channel.
<https://act.colorofchange.org/go/52224?t=17&akid=12728%2E239715%2E6RDKiS> did Marco Rubio say in Spanish in front of Trump? Let him tell you. Miami Herald. 16 May 2018.
<http://act.colorofchange.org/go/52243?t=19&akid=12728%2E239715%2E6RDKiS> Trump should lead, Congress should act on DACA. 5 September 2017. Politico.
<https://act.colorofchange.org/go/52226?t=21&akid=12728%2E239715%2E6RDKiS> Immigration debate "has turned into an s-show". 16 January 2018. Politico.
<https://act.colorofchange.org/go/50682?t=23&akid=12728%2E239715%2E6RDKiS>
5. Trump doesn't need to explain which immigrants he thinks are "animals". 17 May 2018. Slate.
<https://act.colorofchange.org/go/53137?t=25&akid=12728%2E239715%2E6RDKiS>
6. Trump administration preparing to hold immigrant children on military bases. 15 May 2018. Washington Post.
<https://act.colorofchange.org/go/52221?t=27&akid=12728%2E239715%2E6RDKiS>
7. Hate crimes rise for second straight year; Anti-Muslim violence soars amid President Trump's xenophobic rhetoric. 13 November 2017. Southern Poverty Law Center.
<https://act.colorofchange.org/go/53139?t=29&akid=12728%2E239715%2E6RDKiS>

Color Of Change is building a movement to elevate the voices of Black folks and our allies, and win real social and political change. **Help keep our movement strong.**

From: Ben Betz, Digital Advocacy Director, People For the American Way
Subject: We WON in the Senate! Now tell the House: Keep a free and open Internet

We won in the Senate! Now Tell the House to Restore Net Neutrality!

Trump's FCC voted to let corporate special interests ruin the internet. But last week the Senate PASSED a bipartisan resolution to overturn the FCC and restore net neutrality.

Please take a quick moment now to demand that the House follow suit without delay>>

In December, Trump FCC Chairman Ajit Pai -- a former top lawyer for Verizon -- pushed through a measure to end net neutrality and let big cable companies control which websites and apps you use, where you get your news, how you listen to music and watch videos -- everything you do on the internet.

Unless Congress completes passage of this resolution, net neutrality will die on June 11.

Polls show that 86% of Americans, including an overwhelming majority of Republican voters, oppose the FCC's order.

We were already able to help ratchet up the pressure needed to pass this legislation in the Senate. Now time is running out to pass it in the House.

If we continue to flood Congress with enough petitions and calls, we can save net neutrality!

Add your name to tell the House of Representatives: save a free and open Internet!>>

Without net neutrality, the internet will look more like cable TV, where the content we see is controlled by corporations like Comcast and Verizon. We can't afford to see the open internet fall to the control of corporate gatekeepers.

A black rectangular button with the word "DONATE" in white, bold, sans-serif capital letters.

From: OUTRAGED - Progressive Caucus
Subject: Republicans APPROVE Trump's military parade

We are OUTRAGED:

House Republicans just APPROVED Trump's ridiculous military parade:



Not only is this parade dictatorial, it will cost over **\$30 MILLION**.

We have one last chance to stop it.

The final vote is NEXT week -- so we need to act fast.

So we need to raise \$25,000 to elect Progressives who could STOP Trump's military parade.
Now, thanks to their cowardice, we might actually spend millions of public dollars so Trump can lead a procession of TANKS through DC.

This military parade is just a showy monument to Trump's ego, subsidized with the money of working families.

We're fighting to kick Trump's cronies out of Congress, and elect Progressives who could BLOCK this wasteful parade.

Please RUSH \$5 to help us STOP Trump's military parade:

CHIP IN \$5 IMMEDIATELY →

CHIP IN \$35 IMMEDIATELY →

CHIP IN \$50 IMMEDIATELY →

CHIP IN \$100 IMMEDIATELY →

CHIP IN \$250 IMMEDIATELY →

Or donate another amount →

<https://go.weareprogressives.org/Stop-The-Military-Parade>

From: Michael Keegan; President, PFAW

Subject: Last night's results - WOW!

We usually don't endorse in primary contests but this year, with everything that's at stake and the potential for a Democratic wave year, PFAW has jumped into some key races where we've identified strong progressive champions to support for local, state, and federal office.

Last night we ran the table, with endorsements in Idaho and Pennsylvania where all of our candidates won in what were generally considered competitive races. And they won by staggering margins.

The biggest news first: **Paulette Jordan** won the Democratic gubernatorial primary in Idaho -- by a whopping 18 points!

Paulette, a 38-year-old progressive powerhouse, will now be on the November ballot to become the very first Native American governor of any state in US history. Paulette is also the first woman to win a party's gubernatorial nomination in Idaho.

PFAW's Next Up Victory Fund helps strong progressive candidates age 40 and under compete and win in critical local and state races -- and that's what we did in Idaho. We were thrilled to put our resources, connections, and support behind Paulette however we could (and will continue to help through the general election).

But let me be crystal clear: the most important part of our support for Paulette was YOU! So THANK YOU and CONGRATULATIONS because, in addition to a big win for Paulette and the people of Idaho, this is your victory.

At the time I write this, an amazing 1,560 PFAW members and activists donated

to Paulette's campaign and PFAW supporters in Idaho volunteered to be our boots on the ground and help Paulette Get Out The Vote.

In Pennsylvania, on the federal side, PFAW endorsed **Scott Wallace** -- the best choice for progressives in one of the top congressional districts that Democrats need to flip this November in order to take back the House of Representatives. Wallace beat his next closest challenger, someone who was a Republican until last year, by an impressive 21 points. He will now face incumbent Rep. Brian Fitzpatrick, a right-wing Republican who votes with Trump 85% of the time.

Also in Pennsylvania, PFAW's Next Up Victory Fund backed three diverse, young, energetic, and *very progressive* candidates in their Democratic primaries for state House: **Sara Innamorato**, who won by 28 points; **Summer Lee**, who won by 36 points (!!!); and **Malcolm Kenyatta** who won by 15.

Sara and Summer's victories are being seen as the dawn of a new day for progressives in Pennsylvania state politics, with their victories over "blue dog," establishment Democrats who were part of an entrenched political dynasty in that part of the state. And Malcolm made history as the first openly gay candidate of color ever to win a state House primary in Pennsylvania.

You're helping to make history with unprecedented progressive victories this year -- and, hopefully, it's just the beginning!

We'll continue to keep you informed about amazing progressive candidates in important races and what you can do to help. (The biggest race coming up in the near term is next week's gubernatorial primary in Georgia, in which we're enthusiastically supporting a truly transformational leader, Stacey Abrams.)

**Thank you for everything you do and for your steadfast support for our electoral -- and *all* of our -- programs.
Together, we're making history!**

***Want to keep these transformative progressive victories coming?
Donate to support our work>>***

From: Team National Democratic Redistricting Committee (NDRC)
Subject: The Kochs, Adelson, ALEC...

“Republicans Make Moves To Crush Gerrymandering Reform”

-- Talking Points Memo, 5/7/18

Republicans saw great success rigging the maps in 2011. So it's no surprise that now they want to *keep* those maps rigged and rig them in *even more states*:

- In Michigan, the GOP is fighting a ballot measure designed to make redistricting more fair.
- In Pennsylvania, they just gutted two fair maps bills.
- In Arizona, they attacked the Independent Redistricting Commission (*and NDRC helped fight them off!*).

But even more alarming? **Some of the right's shadiest operatives are gearing up to oppose NDRC's push for fair elections**, including the Koch brothers, Sheldon Adelson, the American Legislative Exchange Council (ALEC), and the Republican State Leadership Committee (RSLC).

If we're going to beat back these groups and win this fight, it's going to take all of us working together, Munsup.

Will you help us execute our plans in each one of our target states and ensure fair elections for every American?

If you've saved your payment information with ActBlue Express, your donation will go through immediately:

[Express donate \\$5 >>](#)

[Express donate \\$15 >>](#)

[Express donate \\$25 >>](#)

[Express donate \\$50 >>](#)

[Or, donate a different amount >>](#)

We'll be honest -- going up against the big money of these right-wing groups is going to be a challenge. The RSLC alone is raising *\$125 million* “to defend the legislative majorities that shaped the current congressional districts,” according to *Roll Call*.

But this community has shown what we can do together. In 2017, we helped elect a Democratic governor and flipped 15 Republican-held House of Delegates seats in Virginia. In 2018, we've already scored electoral, court, and ballot wins in states

from Wisconsin to Nevada. **But our road is about to get much steeper -- so we need you with us, Munsup.**

Will you pitch in to stand against GOP attempts to keep the maps rigged for another decade?
DONATE

Republicans saw great success rigging the maps in 2011. So it's no surprise that now they want to keep those maps rigged and rig them in even more states

Paid for by the National Democratic Redistricting Committee

From: Eric Kramer

Subject: Cohn - The Original Trump; How delightfully descriptive!

This is a long read, but an interesting one. Having lived in NYC throughout the 1980s, I had a front row seat to both Trump's rise, and Cohn's fall. Considering just how tawdry it all was, it simply boggles the mind that Trump now holds the highest office in the land....

<http://nymag.com/daily/intelligencer/2018/04/frank-rich-roy-cohn-the-original-donald-trump.html>

Describing Michael Cohen: "This sort of mobster multi-tasker... one of these slime-coated barnacles stuck to the bottom of this Teflon Titanic we call the Trump Administration."

- Sarah Kendzior on MSNBC today
???? E

From: TRUMP SUED [via FightforReform.org]

Subject: this lawsuit could EXPOSE Trump's Judges [sign on now!!!!]

We are BEAMING:

Because Gabby Giffords is SUING Trump for his AWFUL judges.



*And we are **TOTALLY** on board!!!*

Trump may have worked with the NRA to FILL courts with unqualified, pro-gun, conservative Judges! CORRUPT!

But now we're scrambling to collect 5,000 signatures to Stand with the Lawsuit against him!

Can you sign before we print our petition tomorrow?

Sign to Sue Trump >>

The Trump Administration may be colluding with the NRA to pack the courts with extremist pro-gun judges.

And they REFUSE to reveal the extent of their connections with the NRA.

So Gabby Giffords' gun reform group is SUING them!!

We deserve to know whether the largest, most corrupt Special Interest group in the country is hand-selecting Trump's judges.

So we're rushing 5,000 signatures to support the lawsuit. If you care about taking down Trump's judges, add your name now:

Sign to Sue Trump >>

The NRA spends hundreds of MILLIONS of dollars to buy Republican politicians who refuse to pass gun reform.

And now, they're filling judicial seats with judges who will push their pro-gun agenda!

So really Munsup, if you want to stand up to the NRA and protect our judiciary, we need you to sign now and stand with the lawsuit.

<https://go.fightforreform.org/Stand-With-Lawsuit>

From: Thomas Scott

Subject: Why Some Teachers can't Use Social Security; Health Care; #45 vs #43 - Which Was Worse?

- Why More Than A Million Teachers Can't Use Social Security
- This 'Will Kill People': 40K People Are About to Lose Their Medicaid Coverage in Louisiana
- **A NOTE TO WOKE WASHINGTON: THE BUSH ADMINISTRATION WAS SO MUCH WORSE** *BY T.A. FRANK*
<https://www.vanityfair.com/news/2018/05/dear-washington-bush-administration-was-so-much-worse>
 Fifteen years ago, Washington was cheerleading illegal surveillance, torture, and war. Today, we just have a clown show. The inflation of Trump into Satan and the rehabilitation of Dubya suggest that manners are more important than actions, and that even the darkest deeds get a pass if they're packaged well.

From: Matt Blizek, MoveOn Political Action
Subject: Grim poll numbers

We need to talk about the 2018 midterm elections.

Donald Trump has his highest approval rating in a year, and the Democrats' lead in the race for Congress is collapsing.^{1,2} Election experts are no longer projecting a "blue wave" and instead say the chance of ending Republican control of the House is now "50-50."³

And Republican mega-donors have learned from our past success and just announced plans to spend tens of millions on a MoveOn-style field operation to get out their vote.⁴

I can't stress this strongly enough: We do NOT have this election in the bag.

If we don't do everything in our power, Trump and the Republicans *will* keep control of Congress, and they'll be emboldened to go even further to repeal the Affordable Care Act, cut taxes for the superrich, stack the Supreme Court with far-right conservatives, and march America on a path to war.

And while Republicans have been gaining momentum, MoveOn has fallen \$400,000 behind what we need to raise this month for our \$15 million Resist & Win elections program. We urgently need to close that gap to keep rolling out our program on schedule. **Will you rush an urgent donation to help stop Trump's momentum**

and end Republican control of Congress? [Donate](#)

MoveOn's elections program is laser-focused on the most effective strategies that can turn a 50-50 toss-up election into a Democratic win. Here's what we have planned:

- **Endorsements in more House races than ever before.** All told, we'll endorse 100 bold, progressive candidates in competitive districts across the country. If we can win just 24 seats, we can end GOP control of Congress. If we can win more, it'll be a blue wave that swamps the GOP.
- **A secret new program that could change the course of the election.** We have to keep the details confidential right now, but MoveOn's analysts are currently developing new methods of voter persuasion that are an order of magnitude less expensive than any comparable program. The early results from the recent game-changing elections in Virginia and Alabama are extremely promising; the program has already made a huge difference in special elections. Now, MoveOn's gearing up to hire a dozen more analysts and other staff for this project, running more tests, and refining this program so that it's ready to go during election season.
- **A community organizing training program for hundreds of grassroots leaders.** We will be training grassroots leaders in and around key districts on how to organize their communities to win back the House in 2018, hold their elected officials accountable after Election Day, and build a power base for the Resistance and elections in 2019, 2020, and beyond.

But the truth is that the only way all this can happen is if we first meet our grassroots fundraising goals.

The media has been saying for months that Democrats have this election in the bag—just like they said in 2016. Polls say most people assume Trump won't get reelected.⁵ And with the growing sense of complacency, grassroots donations are slowing down.

With Democrats falling behind and a \$400,000 budget gap at MoveOn, there isn't a moment to lose.

Will you rush a contribution to help stop Trump's momentum and end Republican control of Congress in November?

[Donate](#)

Sources:

1. "Trump's approval rating just reached its highest point in a year," *Business Insider*, May 14, 2018
<http://act.moveon.org/go/39569?t=4&akid=207122%2E1195276%2E2RCowj>
2. "2018 Generic Congressional Vote," RealClearPolitics, accessed May 20, 2018
<https://act.moveon.org/go/20972?t=6&akid=207122%2E1195276%2E2RCowj>
3. "The Democrats' Drive for 25 in the House: An Update," University of Virginia Center for Politics, May 17, 2018
<http://act.moveon.org/go/39568?t=8&akid=207122%2E1195276%2E2RCowj>
4. "GOP builds massive shadow army in fight for the House," *Politico*, May 17, 2018
<https://act.moveon.org/go/39570?t=10&akid=207122%2E1195276%2E2RCowj>
5. "More than half of Americans think Trump will lose in 2020. But that hasn't doomed past presidents from getting reelected." CNN, March 29, 2018
<https://act.moveon.org/go/39571?t=12&akid=207122%2E1195276%2E2RCowj>

Want to support our work? The MoveOn community will work every moment, day by day and year by year, to resist Trump's agenda, contain the damage, defeat hate with love, and begin the process of swinging the nation's pendulum back toward sanity, decency, and the kind of future that we must never give up on. And to do it we need your support, now more than ever. **Will you stand with us?** Please donate!

PAID FOR BY MOVEON.ORG POLITICAL ACTION, <http://pol.moveon.org/>. Not authorized by any candidate or candidate's committee.

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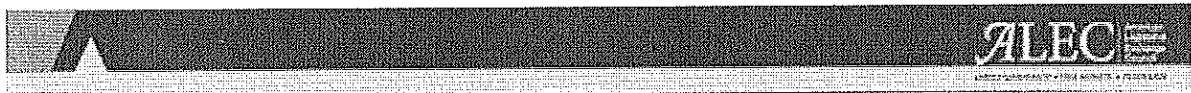
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To change your details and to choose which lists to be subscribed to, visit your personal preferences page
Or you can opt-out completely from all future mailings.



From: American Legislative Exchange Council
Sent: Tuesday, May 22, 2018 12:13 PM
To: Rep48
Subject: Your ALEC Tuesday Update - 5/22/18

To view this email as a web page, go [here](#).



Is your state RICH or POOR?
Find out at www.RichStatesPoorStates.org
DOWNLOAD YOUR COPY NOW

The book cover for "Rich States Poor States" is shown on the right. It features the title in large, bold letters, a silhouette of a city skyline at the bottom, and the subtitle "DISCOVER YOUR STATE'S ECONOMIC CONSTITUTIONAL RISK" in smaller text.

ALEC Tuesday Update - May 22, 2018



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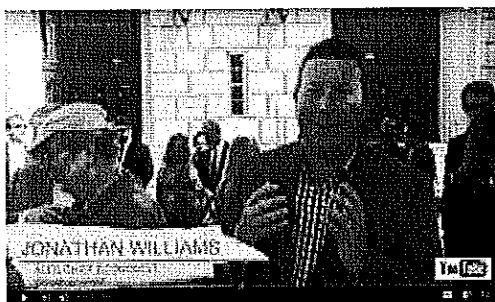


Twitter

ALEC In the News

Tax Reform's Second Windfall is Occurring at the State Level

Jonathan Williams | Center for State Fiscal Reform | *The Hill*



The untold story of federal tax reform's success is the opportunity the new law has provided policymakers across America's 50 "laboratories of democracy," where unexpected tax receipts that are directly linked to changes in the federal tax code have been a game changer in many state capitols this year. Read the op-ed that has everyone from Ways and Means to the West Wing talking about Tax Reform.

[Read Article](#)

Tax Cuts Work For Manufacturing

Survey: Tax Reform Has Been "Rocket Fuel" For Manufacturers

National Association of Manufacturers

SURVEY RESULTS: TAX REFORM IS FUELING MANUFACTURING



77% PLAN TO INCREASE HIRING



72% PLAN TO INCREASE WAGES

As part of the National Association of Manufacturers' new "Keeping Our Promise" Campaign, a survey was released that illustrated the economic growth in the manufacturing sector driven by federal tax reform. 72 percent of manufacturers are increasing employee wages or benefits, 77 percent are hiring more workers and 86 percent are investing in new equipment and facilities. Tax Cuts are truly working for these millions of Americans.

[Learn More](#)

Tax Cuts Work for Small Businesses

Tax Reform Contributes to Lowest Unemployment Since 2000, Highest Optimism for Small Businesses

Job Creators Network

AMERICAN SMALL BUSINESSES: BY THE NUMBERS

There are now 28 million small businesses, and 18,500 large companies.

28 million
SMALL BUSINESSES

18,500
LARGE COMPANIES

Small business accounts for 65 percent of the jobs added since 2010.

65%
BUSINESS ACCOUNT FOR 65% OF THE JOBS ADDED SINCE 2010

Nearly 8 in 10 small businesses are not employing, and nearly 8 in 10 are not planning to hire.

8 in 10
SMALL BUSINESSES ARE NOT EMPLOYING

More than half of the small businesses are not planning to hire.

More than half of the small businesses are not planning to hire.

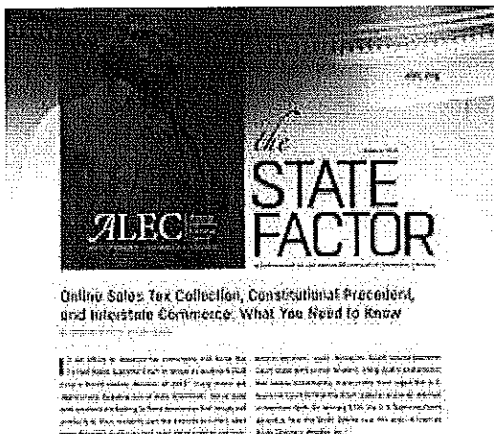
HALF
SMALL BUSINESSES ARE NOT PLANNING TO HIRE

According to a new report from the Bureau of Labor Statistics, the unemployment rate dropped to 3.9 percent in April—the lowest level since the year 2000. Additionally, the unemployment rate among African Americans and Latinos fell to their lowest levels in recorded history. The positive economic climate has also coincided with the highest small business owner optimism level since 2015. More specifically, according to the recent poll from Bank of America, 60 percent of small businesses expect revenues to increase, 22 percent plan to hire more people, 69 percent plan to expand, and 60 percent plan to grow over the course of the next year.

[Learn More](#)

Online Sales Tax

What You Need To Know About *South Dakota v. Wayfair* and Online Sales Tax



A Supreme Court decision is expected soon for the case of *South Dakota v. Wayfair*, which concerns the collection of online sales tax. ALEC has followed the issue closely and has produced helpful materials for anyone trying to further understand the topic and the potential effects of the court's decision. ALEC has produced both a **State Factor Report** and an **Amicus Brief** dealing with Online Sales Tax and the *Wayfair* case.

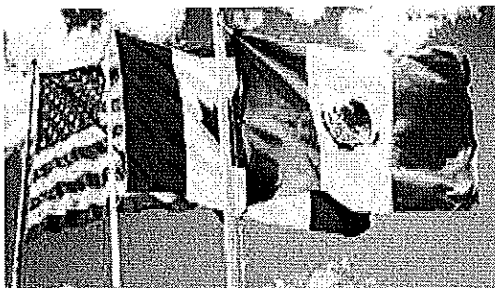
[State Factor](#)

[Amicus Brief](#)

Expert Opinion

Abandoning NAFTA Would be Catastrophic for State Economies

Karla Jones | International Relations and Federalism | *The Hill*



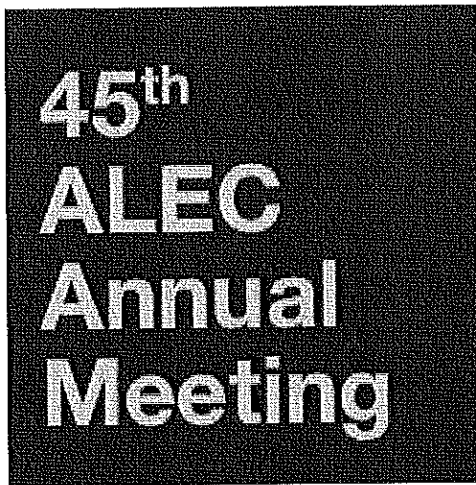
One of NAFTA's best kept secrets is that small- and medium-sized enterprises (SMEs) are primary beneficiaries. Seventy-five percent of companies exporting to Canada and 73 percent exporting to Mexico have fewer than 50 employees. States rely on SMEs to create jobs.

[Read Article](#)

ALEC 45th Annual Meeting

45th Annual Meeting Registration Now Open

American Legislative Exchange Council



Registration is now open for the **45th ALEC Annual Meeting**. The meeting will take place **August 8-10 in New Orleans, LA**. To register, or to learn more about the event, follow the link below to the meeting page. ALEC looks forward to seeing you in New Orleans.

[Register Here](#)



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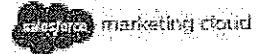


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From: Public Policy Law360
Sent: Wednesday, May 23, 2018 5:12 AM
To: Rep48
Subject: Gorsuch, Ginsburg Go To Mat Again In Class Waiver Case



Wednesday, May 23, 2018



TOP NEWS

Feature

Gorsuch, Ginsburg Go To Mat Again In Class Waiver Case

U.S. Supreme Court Justice Neil Gorsuch has once again delivered a 5-4 majority opinion over a vigorous dissent from his liberal colleague Justice Ruth Bader Ginsburg, this time clashing in a high-profile dispute over arbitration clauses protecting businesses from worker class actions. [Read more »](#)

Analysis

3 Reasons The Epic Systems Ruling Won't Sink #MeToo

Although the U.S. Supreme Court's blockbuster Epic Systems ruling that gave businesses a green light to use employment contracts to bar workers from bringing class actions will have a far-reaching impact on employment law, attorneys say it won't significantly reduce the volume of sexual harassment cases that arise as part of the #MeToo movement. [Read more »](#)

Analysis

City-Industry Rifts Mire FCC Panel's Bid To Grease 5G

When FCC chairman Ajit Pai announced a new task force last year, he optimistically billed it as a way to break down local regulatory hurdles



[Listen to our new podcast here](#)

LAW FIRMS

Alston & Bird
Anthony Kennedy PC
BakerHostetler
Baldwin Crocker
Bayard PA
Bernstein Shur
Blank Rome
Browne George

slowing the rollout of new 5G technology. But a year and half after its formation, the panel is facing many roadblocks of its own. Read more »

Analysis

Construction Industry Anxious For Water Rule Saga To Dry Up

The construction industry spends huge amounts of time and money on all kinds of permits to complete a project, and few pose bigger headaches than those triggered when the federal government determines that a project affects water bodies protected by the Clean Water Act § 4 making the Trump administration's attempt to clear up the issue a top concern. Read more »

UPS Loses Challenge Of Postal Shipping Costs Rule

UPS can't unwind new federal rules on consumer shipping costs after the D.C. Circuit found Tuesday that the Postal Regulatory Commission hadn't overstepped its bounds in excluding some of the U.S. Postal Service's costs from its math. Read more »

BANKING & SECURITIES

House Sends Dodd-Frank Banking Rule Rollback To Trump

The U.S. House of Representatives on Tuesday passed a major rollback of Dodd-Frank rules, sending a package of financial industry changes that backers say cut costly and burdensome regulations to President Donald Trump, who has indicated his support for the measure. Read more »

ENERGY & ENVIRONMENTAL

5th Circ. Tosses Houston Residents' Suit Over Flooding

A group of Houston residents can't revive claims that a city tax reinvestment zone led to street and drainage projects in their area that

Bryan Cave
Cleary Gottlieb
Cravath Swaine
Duane Morris
Eagan Avenatti
Fair Work PC
Fish & Richardson
Gibson Dunn
Harman Claytor
Harris Wiltshire
Hawke McKeon
Hogan Lovells
Holland & Knight
Javerbaum Wurgaft
King & Spalding
Kirkland & Ellis
Morgan Lewis
Morris Nichols
Morrison & Foerster
Native American Rights Fund
Norton Rose Fulbright
Pachulski Stang
Perkins Coie
Phillips Lytle
Potter Anderson
Proskauer Rose
Quinn Emanuel
Reed Smith
Rosette LLP
Sanford Heisler
Schiff Hardin
Schwartz Perry & Heller
Skadden
Squire Patton Boggs
SulmeyerKupetz
Taft Stettinius
Venable LLP
WilmerHale

caused their homes to flood during periods of heavy rainfall, the Fifth Circuit held Tuesday. [Read more »](#)

Minn. Gov. Vetoes Bill To Greenlight Pipeline Project

Minnesota Democratic-Farmer-Labor Party Gov. Mark Dayton has refused to sign a bill that would authorize the company behind a pipeline replacement project to go ahead with construction across the northern part of the state, saying the legislation would nullify a process to see if the project is necessary for the state. [Read more »](#)

Water Infrastructure Bill Sails Through Senate Panel

The Senate Committee on Environment and Public Works on Tuesday unanimously passed a bipartisan water infrastructure bill that is meant, among other things, to slash red tape, boost state and local input on projects, increase water storage, deepen key ports and extend funding for Native American irrigation initiatives. [Read more »](#)

HEALTH & LIFE SCIENCES

Researchers Can't Sell Medical Marijuana, Pa. Judge Says

Temporary regulations allowing medical marijuana researchers to produce and sell products were preliminarily blocked Tuesday by a Pennsylvania judge, who sided with a group of growers and distributors in saying the state's Medical Marijuana Act did not appear to intend for research facilities to engage in commercial distribution. [Read more »](#)

9th Circ. Urged To Keep ACA Birth Control Rules Blocked

The states of California, Delaware, Maryland, New York and Virginia told the Ninth Circuit on Monday that a California federal judge was right to block Trump administration rules letting employers forgo covering birth control under

COMPANIES

AARP Inc.

AT&T Inc.

Amazon.com Inc.

American Cancer Society Inc.

American Civil Liberties Union

American Council of Life Insurers

American Federation of Labor and Congress of Industrial Organizations

American Legislative Exchange Council

American Road & Transportation Builders Association

American Trucking Associations Inc.

CardioNet, Inc.

Carlyle Group LP

Cato Institute

DISH Network Corporation

Enbridge

Epic Systems Corp.

Google Inc.

Lockheed Martin

Lyft Inc.

Microsoft Corporation

National Association of Home Builders

National Association of Realtors

Northrop Grumman Corporation

Prime Inc.

R-T Specialty LLC

Sinclair Broadcast Group, Inc.

Textron Inc.

The Boeing Company

Tribune Media Co.

Twitter Inc.

U.S. Chamber of Commerce

Uber Technologies Inc.

the Affordable Care Act by claiming moral or religious opposition to its use. [Read more »](#)

House Sends 'Right To Try' Treatments Bill To Trump

The House of Representatives sent a bill to President Donald Trump on Tuesday that would greatly increase the "right to try" experimental treatments under current U.S. Food and Drug Administration rules, which backers claim would help bring hope to otherwise terminally ill patients. [Read more »](#)

IP & TECHNOLOGY

House Bill Would Extend USPTO's Fee-Setting Power

Two members of the U.S. House of Representatives introduced legislation Tuesday that would allow the U.S. Patent and Trademark Office to retain its fee-setting authority, which is set to expire in September, mirroring a bill introduced in the Senate in March. [Read more »](#)

Iancu Defends AIA Claim Construction Plan To Congress

U.S. Patent and Trademark Office Director Andrei Iancu said at a House Judiciary Committee hearing Tuesday that a planned change to the claim construction standard for America Invents Act reviews will increase consistency and efficiency, defending the move to lawmakers who expressed concern about it. [Read more »](#)

EMPLOYMENT

5th Circ. Axes States' Bid To Revive DOL Fiduciary Rule Suit

The Fifth Circuit on Tuesday deflated workers' advocates' hopes that a trio of states could rally to save the U.S. Department of Labor's fiduciary rule, with the court striking down an attempt by the California, Oregon and New

United Parcel Service Inc.
United Technologies Corporation
Verizon Communications
Villanova University
ZTE Corp.

GOVERNMENT AGENCIES

Army Corps of Engineers
Bureau of Citizenship and Immigration Services
Bureau of Indian Affairs
Bureau of Reclamation
Department of Commerce
Eastern Shoshone Tribe
Employee Benefits Security Administration
Equal Employment Opportunity Commission
European Commission
European Union
Federal Communications Commission
Federal Reserve System
Federal Trade Commission
Food and Drug Administration
Internal Revenue Service
Leech Lake Band of Ojibwe
NAFTA
National Labor Relations Board
New Jersey Legislature
New York Attorney General's Office
Northern Arapaho Tribe
Omaha Tribe of Nebraska
Pennsylvania Department of Health
Postal Regulatory Commission
Securities and Exchange Commission
U.S. Army

York attorneys general to revive litigation over the retirement-savings rule. [Read more »](#)

Groups Back Trucking Co.'s High Court Arbitration Bid

A trucking industry lobbying group, a D.C. think tank and a Boston public-interest law firm urged the U.S. Supreme Court on Monday to compel arbitration in a class action accusing New Prime Inc. of failing to pay independent contractor truck-driver apprentices a proper minimum wage. [Read more »](#)

Contractor Registration Bill Passes NJ Labor Committee

A New Jersey bill aimed at expanding when public works contractors must register with the state under the Public Works Contractor Registration Act has passed the New Jersey Senate Labor Committee, Democratic lawmakers said Tuesday. [Read more »](#)

COMPETITION

FCC Opens Comment Period On Sinclair-Tribune Merger

The Federal Communications Commission has announced it is moving forward with a public comment period on Sinclair Broadcast Group Inc.'s \$3.9 billion proposed acquisition of Tribune Media Co., setting the stage for the next phase of the controversial merger. [Read more »](#)

AEROSPACE & DEFENSE

Defense Industrial Base Faces Significant Risks, DOD Says

The defense industrial base faces a number of challenges that threaten its health, including skill loss, fluctuating demand and dependency on foreign sources, although the impact varies by industry sector, according to a U.S. Department of Defense report made public Monday. [Read more »](#)

U.S. Attorney's Office
U.S. Census Bureau
U.S. Customs and Border Protection
U.S. Department of Defense
U.S. Department of Health and Human Services
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of the Treasury
U.S. Environmental Protection Agency
U.S. House Committee on Energy and Commerce
U.S. House of Representatives
U.S. Immigration and Customs Enforcement
U.S. Patent and Trademark Office
U.S. Postal Service
U.S. Senate
U.S. Supreme Court
United Nations
Wage and Hour Division
Wyoming Attorney General's Office

INTERNATIONAL TRADE

Europe Eyeing Asia-Pacific Inroads Amid US Standstill

European Union leaders gave the bloc the green light to pursue new trade deals with Australia and New Zealand on Tuesday and stressed the importance of linking up with the two powerful members of the Trans-Pacific Partnership, the Obama-era trade deal that the Trump administration has left in the dust. [Read more »](#)

TAX

IT Spending Plan To Be Ready Within 90 Days, Treasury Says

The U.S. Department of the Treasury will provide a five-year plan to lawmakers within 90 days that will outline the department's plan to invest in information technology upgrades, Treasury Secretary Steve Mnuchin said Tuesday. [Read more »](#)

IMMIGRATION

Ala. Sues Over Census Counting Unauthorized Immigrants

The state of Alabama sued the Commerce Department and the Census Bureau on Monday over the federal government's policy of including immigrants unauthorized to be in the United States as part of census tallies, alleging that the policy violates the Constitution. [Read more »](#)

ICE Chief Pushes For Clamp Down On Border Crossings

U.S. Immigration and Customs Enforcement chief Thomas Homan urged Congress on Tuesday to adopt stricter enforcement policies to discourage unauthorized border crossings, echoing U.S. Attorney General Jeff Sessions' recent assertion of a "zero-tolerance" policy at the border. [Read more »](#)

NATIVE AMERICAN

Feds, Wyo. Urge Justices To Spurn Tribes' Land Suits

The federal government and the state of Wyoming have urged the U.S. Supreme Court to reject challenges to a Tenth Circuit ruling that the Eastern Shoshone and Northern Arapaho tribes' shared reservation was shrunk by a 1905 law, saying the case doesn't present a circuit split or conflict with high court precedent. [Read more »](#)

TELECOMMUNICATIONS

Poor Families Need 'Kid Vid' Programming Rules, Dems Say

A group of Democratic senators has urged the Federal Communications Commission to keep intact its rules governing children's educational programming, saying that low-income households still rely on the free, over-the-air "kid vid" content amid a proliferation of streaming services and other online video sources. [Read more »](#)

FCC Says Justices Need Not Review Spectrum Discount Row

The Federal Communications Commission has urged the U.S. Supreme Court to reject a certiorari petition from two telecom companies that claim they were wrongly denied spectrum license discounts, saying ongoing proceedings the companies themselves requested could render the case moot. [Read more »](#)

Sens. Whose IDs Used In Fake FCC Posts Tell Pai To Fix Site

Two senators, one from each party, have told Federal Communications Commission Chairman Ajit Pai to fix a public commenting system that has let bots produce millions of fraudulent comments under stolen identities — including the identities of the senators themselves. [Read more »](#)

CIVIL RIGHTS

Va. School Can't Shake Trans Student's Bathroom Bias Suit

A Virginia school board that created a policy aimed at keeping a transgender student from using restrooms that match his gender identity will have to face his discrimination claims that made it all the way to the U.S. Supreme Court and back, a federal judge ruled Tuesday. [Read more »](#)

EXPERT ANALYSIS

Shareholder Arbitration Issue Isn't Going Away

In a recent letter to a member of Congress, U.S. Securities and Exchange Commission Chairman Jay Clayton said that he hasn't decided whether mandatory arbitration of shareholder disputes is appropriate, and that exploring the idea is not a priority for him. However, I believe the issue is going to require commission action sooner rather than later, says Kevin LaCroix of RT ProExec. [Read more »](#)

Hidden Challenges In Applying New DOL Break Time Guidance

The U.S. Department of Labor recently released an opinion letter that says breaks taken as part of intermittent leave under the Family and Medical Leave Act do not need to be compensated. However, it contains a troublesome caveat that threatens to destroy any clarity the letter might otherwise bring to the analysis, says Kevin Johnson of Johnson Jackson LLC. [Read more »](#)

Health Tech Is The New Focus For Cybersecurity Policy

Over the last year, government reports, enforcement actions and new regulatory proposals have thrown health care technology into the limelight. While the Health Insurance Portability and Accountability Act is already

one of the country's most robust privacy and security laws, the government is seeking to fill some significant gaps in regulation, says Elliot Golding of Squire Patton Boggs. [Read more »](#)

LEGAL INDUSTRY

Analysis

Del. Faces IP Surge, Bench Gaps On TC Heartland's Birthday

One year after the U.S. Supreme Court's TC Heartland ruling steered hundreds of new patent cases to Delaware from Texas and other states, federal judges and attorneys are patently scrambling to manage the surge with fewer resident judges. [Read more »](#)

New England's Bernstein Shur Updates Parental Leave Policy

New England-based law firm Bernstein Shur Sawyer & Nelson PA said Tuesday it has implemented a new parental leave policy that allows 16 weeks of paid leave for attorneys regardless of their gender, making no distinction between primary and secondary caregivers. [Read more »](#)

King & Spalding Draws Rebuke In Bid To Toss Firing Suit

A New York federal judge on Tuesday rejected King & Spalding LLP's bid to escape allegations it fired an associate for raising ethical concerns about two partners, saying at a hearing she found it "incredibly hard" to buy the firm's stated reasons for terminating him. [Read more »](#)

Eagan Avenatti Owes Ex-Partner \$10M From Bankruptcy Deal

A California bankruptcy judge on Tuesday entered a \$10 million judgment against defunct class action law firm Eagan Avenatti LLP — which is owned by Michael Avenatti, the attorney representing adult film actress Stormy Daniels in her legal battle against President Donald Trump — finding the firm defaulted on

its bankruptcy-resolving settlement with a former partner over allegedly unpaid fees. [Read more »](#)

NY Lawmakers Tap Interim AG Underwood To Finish Term

Acting New York Attorney General Barbara D. Underwood was tapped Tuesday by the state legislature to serve out the remainder of Eric Schneiderman's term after he resigned earlier this month amid allegations of physical abuse by four women. [Read more »](#)

Legal Tech Download: Reed Smith, Norton Rose, Bryan Cave

The world of legal technology is quickly evolving, with new products coming to market in rapid succession. Here, Law360 takes a look at six recent developments. [Read more »](#)

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Lincoln Financial Group

Washington DC, District of Columbia

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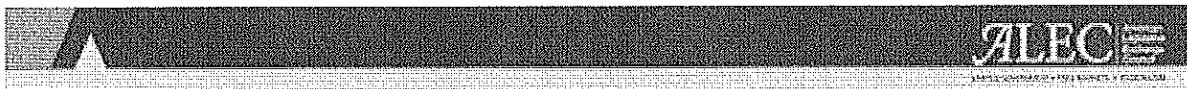
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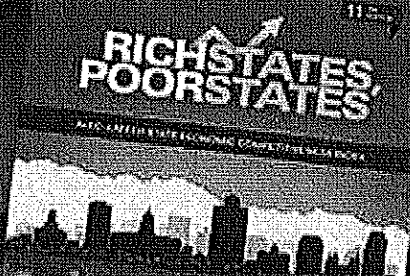
Law360 | Portfolio Media, Inc, 111 West 19th Street, 5th Floor, New York, NY 10011

From: American Legislative Exchange Council
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Is your state RICH or POOR?
Find out at www.RichStatesPoorStates.org
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The book cover for "Rich States Poor States" features a city skyline at night and the title in large, bold letters. The subtitle "ALEC MEMORIAL ECONOMIC COMPETITIVENESS BOOK" is visible at the bottom.

ALEC Digital Exchange, May 24, 2018



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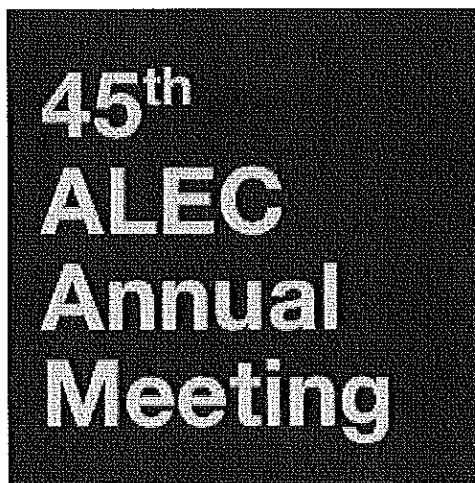


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ALEC 45th Annual Meeting

Registration for the 45th ALEC Annual Meeting is Open

American Legislative Exchange Council



Registration is now open for the **45th ALEC Annual Meeting**. The meeting will take place **August 8-10 in New Orleans, LA**. To register, or to learn more about the event, follow the link below to the meeting page. ALEC looks forward to seeing you in New Orleans.

[Register Here](#)

Legislator Voices

Addressing Important Issues in the States

Representative Jason Saine (NC) and Representative Justin Hill (MO)



ALEC legislators are speaking out on issues important to their states. Of particular note are articles written by ALEC National Chairman and North Carolina Representative Jason Saine: "[Tax Cuts Make North Carolina Special](#)" and Missouri Representative Justin Hill: "[Don't Be Fooled: Online Sales Taxes are a Money Grab](#)"

ALEC On The Air

Jonathan Williams Joins Lars Larson in Studio

The Lars Larson Show



ALEC Chief Economist and VP of the Center for State Fiscal Reform joined the *Lars Larson Show* in studio in Oregon to talk taxes. Check out the video linked below.

[View Video](#)

Tax Cuts Work

Hard Working Americans are Benefitting from Federal Tax Reform



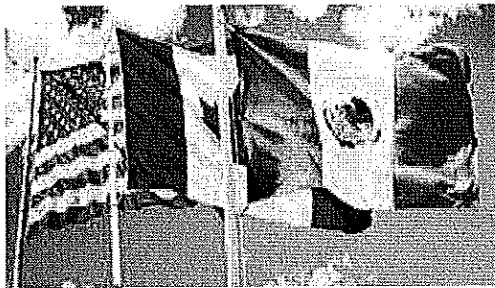
See how federal tax reform is making life better for millions of Americans across the country. Lower unemployment, higher wages, and a positive economic outlook point to the effectiveness of these tax cuts.

[View Video](#)

International Trade

Abandoning NAFTA Would be Catastrophic for State Economies

Karla Jones | International Relations and Federalism | *The Hill*



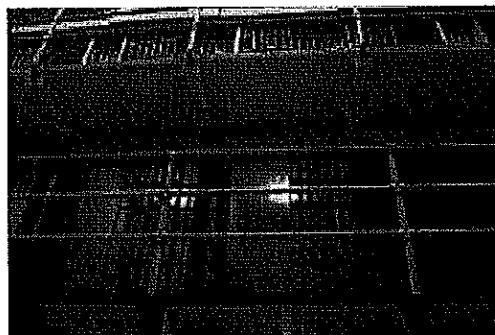
One of NAFTA's best kept secrets is that small- and medium-sized enterprises (SMEs) are primary beneficiaries. Seventy-five percent of companies exporting to Canada and 73 percent exporting to Mexico have fewer than 50 employees. States rely on SMEs to create jobs.

[Read Article](#)

Criminal Justice

White House Hosts Summit on Prison Reform

Ronald J. Lampard | Criminal Justice



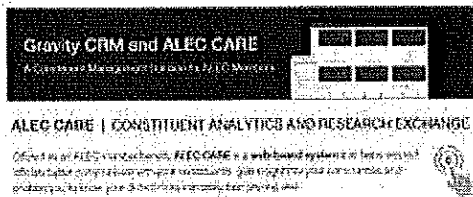
On May 18th, the White House hosted a Prison Reform Summit. During the summit, both President Donald Trump and Vice-President Mike Pence spoke about the importance of prisoner reentry. The President noted the importance of individuals who have committed crimes to take responsibility for their actions, but also spoke of the importance of more prisoners taking charge of their own

lives by giving "them the tools to stand on their own two feet."

[Read Article](#)

ALEC CARE

A Streamlined Constituent Relationship Manager at Your Fingertips



As an ALEC member you receive access to an online system for all constituent management needs. Track issues of concern, take notes regarding constituent calls, and even execute your own surveys to better know how to position yourself on key issues in your district. To activate your personal account, and schedule an online webinar to review the platform, **contact our C.A.R.E. Associate, Aaron Gillham, at agillham@alec.org.**

ALEC-FreedomWorks Legislator of the Week

Standing Up For Education in Tennessee

Senator Brian Kelsey | TN-31



This week, ALEC and FreedomWorks recognize **TN Senator Brian Kelsey** as the Legislator of the Week. Senator Kelsey credits his education and upbringing as reasons for his decision to run for office, and seeks to bring this experience to his fellow Tennesseans. His work is bearing fruit as he is "proud that during the last five years, Tennessee students have been the fastest improving in the nation in math, reading, and science scores."

[Read Article](#)



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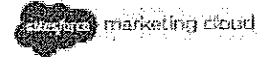


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Subject: Center for Innovation and Technology: Are you secure? Really? How do you know?

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Center for Innovation and Technology - May 29, 2018

Are You Secure? Really? How Do You Know?

From Center For Innovation and Technology VP Bartlett Cleland



Homeland security has been top of mind for state legislators for the last several years. Whether discussing and sharing best practices or understanding how to best protect the nation's students in school or how to handle cybersecurity threats legislators continue to search for better answers. A large challenge has been how to know that a state is on the right track, that what the legislators are doing is making a difference. In the world of cybersecurity that can be a real challenge.

One cybersecurity solution that is particularly user friendly for a non-tech CEO to understand is CyGov's approach. CyGov is a firm founded in Israel but providing global services. Israel necessarily has an intense focus on the security of those who live there given the global neighborhood in which they live. And like any place of intensity and laser like focus on one area of expertise, advancement in innovation in that area tends to follow. Members of Cygov's leadership have visited ALEC previously as part of the innovation outreach work conducted by the ALEC Center for Innovation and Technology. As the company describes itself "CyGov is a cyber security firm focused on developing a cyber assessment platform to enable organizations to manage their cyber risk and readiness much

more effectively.”

Cyberthreats against the private sector have been well covered in the press over the last few years. Broadly, there is a \$600 billion annual cost because of cybercrime, with an average cost to an attacked company of \$3.6 million. In 2017 alone ransomware, a type of software that blocks access to a computer system until a demanded sum of money is paid, attacks increased 36 percent. Attacks now come at more than 4000 a day. Companies are left with trying to quantify and manage this risk, but generally the current state of assessments leaves much to be desired.

Corporate leaders often find that risk assessments do not provide them an effective means to confront the challenges. Assessments are often lacking clear actionable steps or fail to help interpret the risk in an understandable way. And if they do, tracking progress towards a goal is nearly impossible, often because the assessments are manual and generic, not deploying tools that fit the industry. The assessments also tend to be too narrowly focused, measuring risk from the standpoint of technology while ignoring strategy, intelligence and physical security.

But in addition to industry, people, and politics, government operations are at risk as well, attacked daily thousands of times over internationally, across the country and even locally. For example, the United Kingdom has recently invested more than \$2.5 billion in cybersecurity to fight against an estimated 4.5 million malicious emails a month. In the U.S. federal government IT professionals report, “...the security threats at federal agencies are coming from careless insiders, foreign governments, the general hacking community, ‘hacktivists,’ malicious insiders, terrorists, for-profit criminals and industrial spies.

Half of the respondents—from civilian agencies in particular—indicated an increase in spam and malware attacks, while more than a third saw a rise in ransomware and social engineering-related breaches.” Locally, the problem is just as bad. Very publicly in Atlanta this year, but across the country from New Mexico to Colorado to Dallas to Birmingham, local governments are being attacked and often their computer systems held ransom. Government at all levels must be prepared and stay vigilant.

The easiest means to understand it all might just be a dashboard, providing a score and a readiness level benchmark. Combined with better data collection, extensive analysis, such visual and quantifiable analysis provides to management an understandable approach to what is going on within their organizations. As CyGov states, “In today’s world of emerging cyber threats, it’s not enough to stay

up to date; you need to stay ahead of the rapidly evolving cyber landscape." This is particularly true of state and local governments lest they become easy targets for mischief, meddling, or malice.



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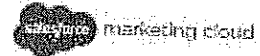


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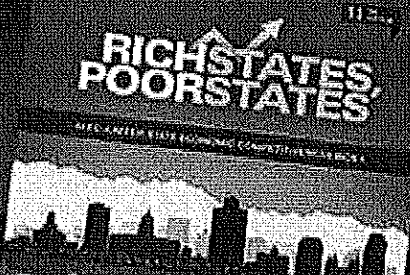
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Is your state RICH or POOR?
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The book cover for "Rich States Poor States" features a silhouette of a city skyline against a light background. The title "RICH STATES POOR STATES" is prominently displayed at the top, with a small graphic of a house and an upward arrow above the word "RICH". Below the title, it says "113...". At the bottom of the cover, it reads "100 NEW STATE ECONOMIC CONSTITUTIONAL PROPOSALS".

ALEC Digital Exchange, May 31, 2018



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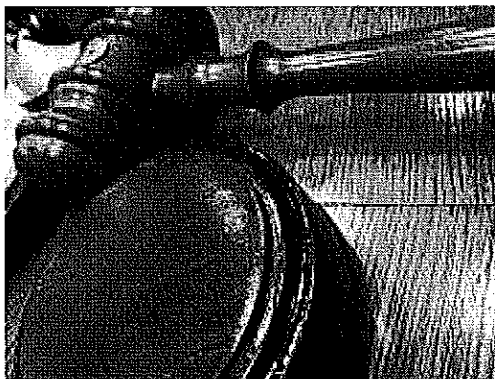


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STFS Model Policy Update

Model Policy From 2018 Spring Task Force Summit Finalized and Online

American Legislative Exchange Council



All model policies voted on and passed at the 2018 Spring Task Force Summit in Grand Rapids, MI have been finalized and approved by the ALEC Board of Directors. They have also been posted on the site in their final iterations. You can view all policies passed and approved from STFS by following the link below.

[View Model Policies](#)

New ALEC Publication

State of the States: An Analysis of the 2018 Governors' Addresses

Center for State Fiscal Reform



This week, the ALEC Center for State Fiscal Reform released its annual **State of the States Report**, which analyzes gubernatorial addresses and the policy prescriptions outlined in each, as well as how they will affect their respective states. Learn more about how governors are driving fiscal policy, both for better or for worse. Also don't miss the profile of the new report from the **Washington Examiner**: "**Trump Tax Cuts Spark More Reductions in 13 States.**"

[View Publication](#)

Legislator Voices

Occupational Licensing Bill a Winner for Oklahoma

Representative Mark Lepak | OK-9 | [NewsOK.com](#)



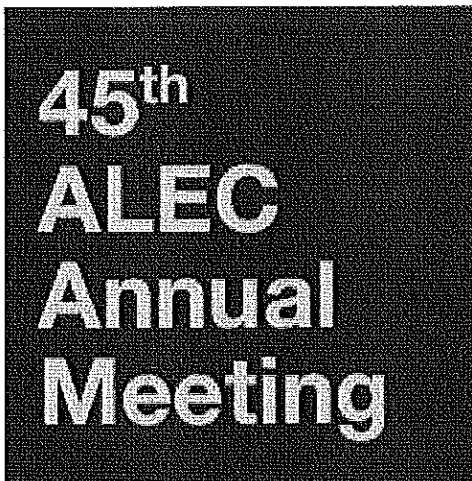
"We need to do all we can to make sure these Oklahomans are able to have the opportunity to become contributing members of society in a positive way, instead of becoming dependent on the state, or worse, falling back into the criminal justice system when lack of hope and opportunity suggests a return to crime is an option that should be considered."

[Read Article](#)

ALEC 45th Annual Meeting

45th ALEC Annual Meeting 60 Day Notification Coming Soon

American Legislative Exchange Council



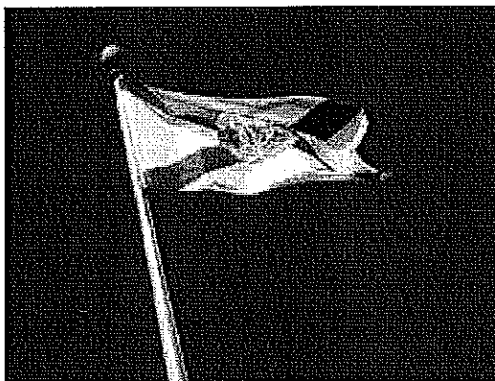
Registration is now open for the **45th ALEC Annual Meeting**. The meeting will take place **August 8-10 in New Orleans, Louisiana**. In addition, watch your inbox for the 60 Day Notification for model policy submission, which will be arriving in the coming week. ALEC looks forward to seeing you in New Orleans. To register or learn more about the meeting, follow the link below.

[Register Here](#)

ALEC In the News

Supermajority Requirement for Tax Hikes Gaining Steam for Good Reason

Jonathan Williams and Joel Griffith | Center for State Fiscal Reform | *Florida Politics*



Thanks to legislative action, Floridians will vote this fall on a constitutional amendment subjecting any increase in fees or taxes — whether state or local — to a 2/3 supermajority vote by the requisite legislative body. Such safeguards wisely protect taxpayers from future politicians overly zealous to extract more from their wallets.

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International Trade

NAFTA Is a Good Deal for the States

Karla Jones | International Relations and Federalism

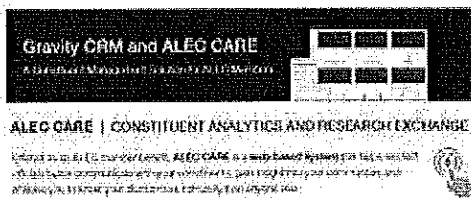


While in need of updates, NAFTA is a good deal for the states and a good deal for America. Negotiations require discipline and hard work, however, NAFTA modernization is well worth the effort. The nation is counting on a successful negotiation of this vital trade framework..

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A Streamlined Constituent Relationship Manager at Your Fingertips

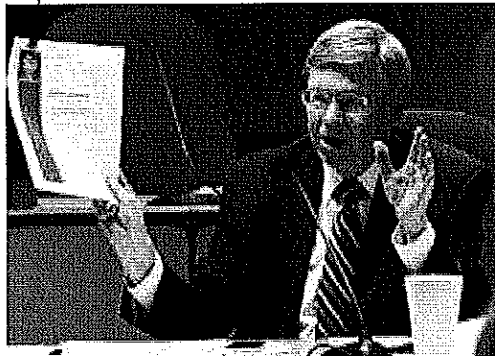


As an ALEC member you receive access to an online system for all constituent management needs. Track issues of concern, take notes regarding constituent calls, and even execute your own surveys to better know how to position yourself on key issues in your district. To activate your personal account, and schedule an online webinar to review the platform, **contact our C.A.R.E. Associate, Aaron Gillham, at agillham@alec.org.**

ALEC-FreedomWorks Legislator of the Week

A Dedicated Public Servant in Arizona

Representative Vince Leach | AZ-11



This week, ALEC and FreedomWorks recognize **AZ Representative Vince Leach** as the Legislator of the Week. Representative Leach is a champion of good governance and a veteran of public service from school boards all the way to the state house. He considers the large amount of federal land in Arizona to be an issue, as it is off limits for development and hinders opportunity in the state.

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Subject: Save the Date: The ALEC 45th Anniversary Gala

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Save The Date **ALEC 45th Anniversary Gala**

Join the festivities as ALEC celebrates 45 years of advancing limited government, free markets and federalism.

Wednesday, September 26, 2018

Reception: 6:00 PM – 7:00 PM
Dinner: 7:00 PM – 9:00 PM
Dessert Reception: 9:00 PM – 10:00 PM

Trump International Hotel
Washington, DC

To purchase individual tickets, please visit <https://www.alec.org/meeting/45/>

If you are unable to attend but would like to make a contribution, you may do so [here](#).

For more information, please contact 45@alec.org

Honorary Chairs

The Honorable George Allen and Susan Allen
The Honorable John D. Ashcroft
2019 ALEC National Chair Representative Alan Clemmons
The Honorable Tom Davis and Mrs. Jeannemarie Devolites Davis
Carly Fiorina
The Honorable Newt Gingrich
Dr. Art Laffer
The Honorable Pete Ricketts
The Honorable Cathy McMorris Rodgers
2018 ALEC National Chair Representative Jason Saine
The Honorable Thom Tillis

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Juanita Duggan
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Committee Members

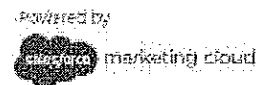
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The American Legislative Exchange Council is the largest voluntary organization of conservative state legislators. ALEC works to advance the principles of limited government, free markets, and federalism at the state level.



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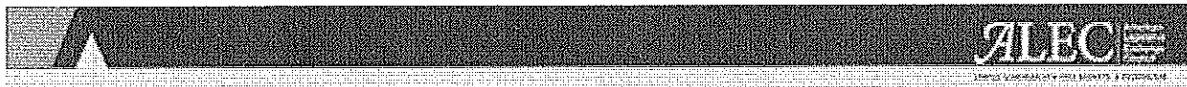


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Center for State Fiscal Reform - June 5, 2018



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2018 State of The States Report

State of the States: An Analysis of of the 2018 Governors' Addresses

Center for State Fiscal Reform



The latest publication, *State of the States*, breaks down each governor's "state of the state" address and identifies strong and weak policy prescriptions. The publication also explores each states' economic outlook and how certain policies outlined in these addresses could have either beneficial or detrimental effects on future outlooks.

View Report

Facebook Live Discussion

2018 *State of the States* Roundtable Discussion

Jonathan Williams, Joel Griffith and Thurston Powers | Center for State Fiscal Reform



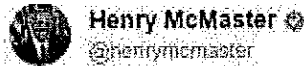
ALEC Chief Economist and VP of the Center for State Fiscal Reform Jonathan Williams sits down with Tax and Fiscal Policy Director Joel Griffith and Analyst Thurston Powers to discuss the ins and outs of the new 2018 State of the States Report.

[View Video](#)

ALEC In The News

***State of the States Report* Spurs Discussion, Recognition in the States**

Center for State Fiscal Reform



Protecting taxpayers, growing our economy, and adding good-paying jobs will always be a top priority for my office. I am proud our pro-growth, pro-taxpayer, economic policies are being recognized.

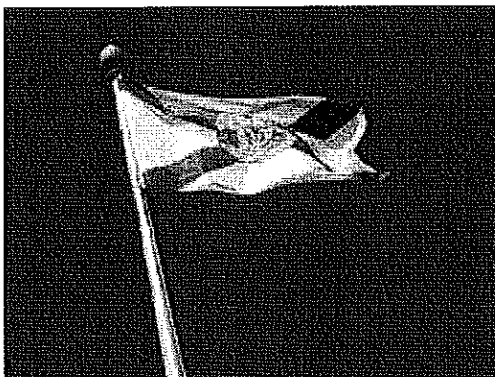
The newly released *2018 State of the States Report* has people talking, from media and statehouse politicos to leaders like South Carolina Governor Henry McMaster. Articles on the report have appeared in Washington Examiner and One News Now. Check out these articles and see what people are saying about this report.

twitter.com/ALEC_states/st...

Expert Insight

Supermajority Requirement for Tax Hikes Gaining Steam for Good Reason

Jonathan Williams and Joel Griffith | Center for State Fiscal Reform | *Florida Politics*



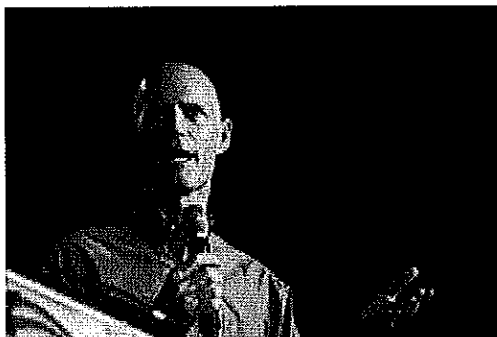
Thanks to legislative action, Floridians will vote this fall on a constitutional amendment subjecting any increase in fees or taxes — whether state or local — to a 2/3 supermajority vote by the requisite legislative body. Such safeguards wisely protect taxpayers from future politicians overly zealous to extract more from their wallets.

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Best of the Best

Center For State Fiscal Reform Identifies its "Best of the Best" Governors' Addresses

Center for State Fiscal Reform

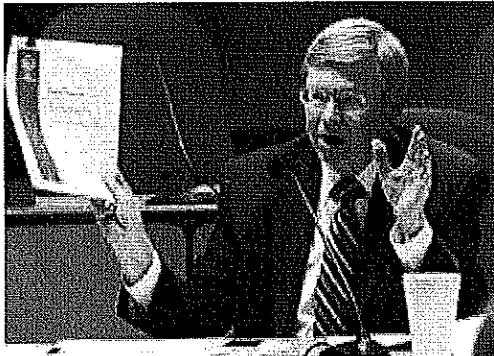


The Center For State Fiscal Reform identified 5 governors' addresses in its 2018 *State of the States* Report that it considered to be 'best of the best.' Articles on [Florida's Rick Scott](#) and [South Carolina's Henry McMaster](#) dig deeper into these speeches and why they rise above the rest.

ALEC-FreedomWorks Legislator of the Week

A Dedicated Public Servant in Arizona

Representative Vince Leach | AZ-11



This week, ALEC and FreedomWorks recognize **AZ Representative Vince Leach** as the Legislator of the Week. Representative Leach is a champion of good governance and a veteran of public service from school boards all the way to the state house. He considers the large amount of federal land in Arizona to be an issue, as it is off limits for development and hinders opportunity in the state.

[Read Article](#)

Expert Opinion

Tax Reform's Second Windfall is Occurring at the State Level

Jonathan Williams | Center for State Fiscal Reform | *The Hill*



House Republicans
@HouseGOP

"Americans are beginning to enjoy the benefits from the first federal tax reform since Ronald Reagan, more than 31 long years ago. The American economy is responding in an overwhelmingly positive way." @Taxeconomist.
thehill.com/opinion/finance...

The untold story of federal tax reform's success is the opportunity the new law has provided policymakers across America's 50 "laboratories of democracy," where unexpected tax receipts that are directly linked to changes in the federal tax code have been a game changer in many state capitols this year.

[Read Article](#)



Tax reform's second windfall
is occurring at the state level
thehill.com

6:29pm · 4 Jun 2018 · TweetDeck



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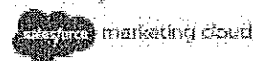


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Subject: Annual Meeting 65 Day Notice

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**Communications and Technology Task Force
65-Day Notice**

Thank you for being a member of the Task Force on Communications & Technology. I am writing to inform you of some upcoming deadlines for the ALEC Annual Meeting in New Orleans, LA on August 8-10.

I am expecting an exciting and robust meeting. We are still penciling in topics and speakers, but you can expect that the conversation will include state efforts to close the digital divide, an update from the FCC on its priorities, and many other topics.

See below for some important dates related to our meeting:

- **June 25, 2018** – 45-Day Policy Submission Deadline. If you would like to introduce new model policy please send me the draft language by that deadline.
- **July 10, 2018** – 30-Day Notice Published. This will contain a draft of the Task Force Meeting Agendas and model policies scheduled for consideration and review at the Task Force Meeting.
- **June 27, 2018** – Early Bird Registration Ends
- **July 11, 2018** – Standard Registration and Housing Deadline
- **August 10, 2018**– Task Force Meeting

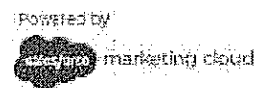
To vote on these model policies and engage in the important policy discussions, [register for the ALEC Annual Meeting here!](#)

Feel free to reach out to me for any questions, and I look forward to seeing you in New Orleans!

Jonathon Paul Hauenschild, J.D.
Director, Task Force on Communications & Technology

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From: Lisa B. Nelson
Sent: Wednesday, June 6, 2018 4:37 PM
To: Rep48
Subject: CEO Update – Rural Issues are American Issues

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Dear Members,

As 2018 legislative sessions come to a close and you look toward November and your 2019 policy agendas, the American Legislative Exchange Council is best suited to provide you with research, state comparative analysis and training to ensure you have all the tools and information necessary to be a more effective legislator or advocate regardless of your geographic location or political affiliation.

The ALEC team is always looking for new programs and approaches to bring more value to members, and often, those ideas come directly from you. Today, I want to introduce you to a legislator-led initiative around rural issues. Last year, Arizona Representative Becky Nutt and Texas Representative Doc Anderson approached me about increased programming and discussion around rural issues—what a great idea. We held an organizing meeting at the States and Nation Policy Summit in Nashville where a group of rural legislators had a discussion about rural issues in their states, and we had the opportunity to hear a presentation on rural economic development from the Tennessee Rural Task Force.

Today, I'm proud to announce the formal launch of the ALEC Rural Caucus. The brain child of Representatives Nutt and Anderson is an opportunity for all ALEC members to develop a more inclusive and thoughtful approach to policy formulation. The Caucus is not a task force. It is an affinity group of legislators and other stakeholders that will discuss rural trends and determine plans of

action—both internal and external to ALEC—to raise awareness and develop real solutions to rural issues—to American issues.


The fact is, most ALEC members come from rural or exurban areas in their states. Most rural-focused federal policy is about subsidy and government funding. And, few discuss existing, state-based, free market solutions to economic and workforce development; education, industry and agricultural investment. If ALEC rural members band together and work across their respective taskforces, ALEC can create a rural-focused public policy platform that helps grow and sustain the economic engine of America—our rural communities.

For every urban issue, there is a corollary urban issue. We do ourselves a disservice when we think of them as separate issues or groups to be addressed differently or with different programs. We are all American and together we can help bridge the divide between urban and rural to create opportunity for a better life for all. Did you know both rural and urban communities feel misunderstood; both feel they need more government aid; and few people (only one in seven) feel they have a strong tie to home. What we know at ALEC is one's tie to home—to a geography, an industry or group—is often linked to economic drivers. One's personal and family success offers a sense of pride, purpose and place. And, proven ALEC free-market policies can ring new opportunities and renewed focus to rural America.

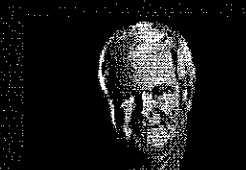
Together, we have a big opportunity to set a free-market rural agenda for the states. And, I'm looking to you to join in this challenge. In the coming weeks, ALEC will host an organizing call to set the agenda for a formal meeting at the New Orleans Annual Meeting (Registration is already moving at a record-setting pace. You don't want to miss this meeting) Following

TRUMP'S AMERICA


THE TRUTH ABOUT OUR NATION'S GREAT COMEBACK




NEWT GINGRICH



Author: Newt Gingrich



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“
America is experiencing a great comeback. After nearly a decade of recession and tepid job creation, our economy is booming.
”

Speaker Newt Gingrich
Author of *Breakout: Pioneers of the Future, Prison Guards of the Past*

Annual Meeting, we will continue regular, agenda-setting calls and continue to develop messaging and programing that engages the existing ALEC infrastructure to include rural perspective and policy.

The opportunity is ours for the taking, and it's up to us to put in place real plans of action that respect and protect all taxpayers.

If you are interested in rural issues and want to be part of the upcoming call, please fill out the interest form at www.alec.org/iamrural.

Sincerely,

Lisa B. Nelson
Chief Executive Officer
American Legislative Exchange Council

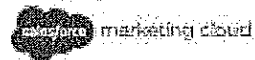


The American Legislative Exchange Council is the largest voluntary organization of conservative state legislators. ALEC works to advance the principles of limited government, free markets, and federalism at the state level.

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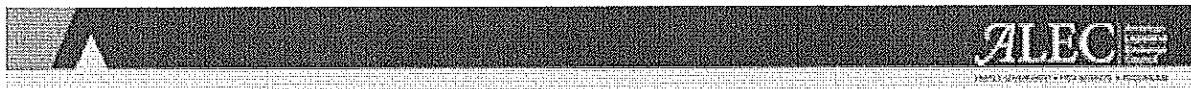


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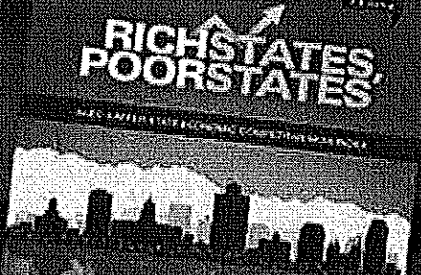
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ALEC Digital Exchange, June 7, 2018



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New ALEC Publication

State of the States: An Analysis of the 2018 Governors' Addresses

Center for State Fiscal Reform



The latest publication, *State of the States*, breaks down each governor's "state of the state" address and identifies strong and weak policy prescriptions. Also don't miss the profile of the new report from the *Washington Examiner*: "[Trump Tax Cuts Spark More Reductions in 13 States](#)", as well as the [Facebook Live Discussion](#) of the report.

[View Publication](#)

Legislator Voices

Minimum Wage Levels — Let the States and Free Markets Decide

Speaker Linda Upmeyer | IA-54



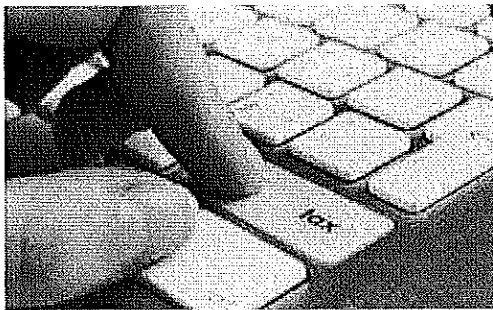
There is a wide variation in opinions on the minimum wage at both the national and state levels. Some would prefer minimum wages ranging from \$15 to more than \$20 per hour, while others would prefer no wage floor at all. Does it make sense to have leaders in Washington D.C. arbitrarily picking a wage rate that all states are required to follow?

[Read Article](#)

Expert Opinion

Internet Sales Tax: They Said It Best When They Said Nothing at All

Bartlett Cleland | Center for Innovation and Technology | *SCOTUSInternetTax.com*



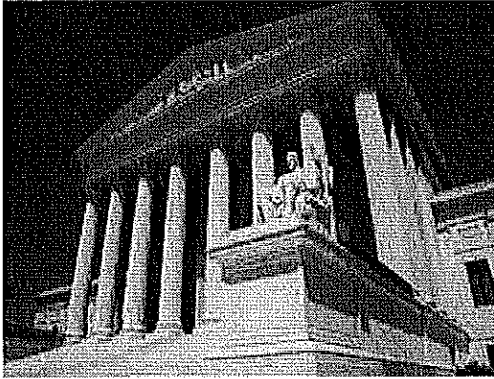
The states that support a pro higher tax, bigger government plan do not speak for the country. In fact, they speak for a small minority of the people. When constituents understand the legal scheme that has been underway, the politicians and tax agencies who crafted and pushed the cynical plan will have wished that they, like Congress, had intentionally said nothing at all.

[Read Article](#)

4th Amendment Update

Supreme Court Rules to Protect Curtilage of House from Warrantless Searches

Jonathon Hauenschild | Communications and Technology



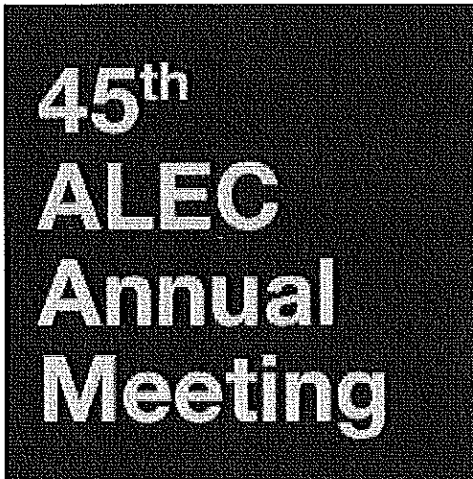
The Supreme Court recently ruled that law enforcement may not search a vehicle parked within the curtilage of a house. Courts, generally speaking, have long recognized that the curtilage of a home falls within Fourth Amendment protections. The automobile exception to the Fourth Amendment will not protect against suppression of evidence by a trial or appellate court if officials obtained the evidence by invading a home or home's curtilage.

[Read Article](#)

ALEC 45th Annual Meeting

Register for the 45th ALEC Annual Meeting Today

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Occupational Licensing Update

Nebraska Passes Occupational Licensing Reform

Ariel Friedman | American Legislative Exchange Council

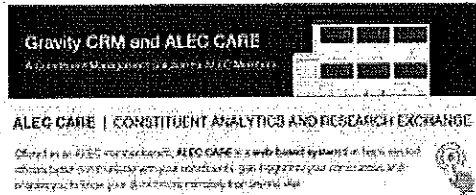


In a refreshing spirit of bipartisanship, Democrats and Republicans have come together in support of occupational licensing reform. Occupational licensing requirements often discourage prospective workers from entering a licensed profession, which can contribute to the inability of low-income workers to improve their economic prospects.

[Read Article](#)

ALEC CARE

Lawmakers: A Streamlined Constituent Relationship Manager For You



As an ALEC member you receive access to an online system for all constituent management needs. Track issues of concern, take notes regarding constituent calls, and even execute your own surveys to better know how to position yourself on key issues in your district. To activate your personal account, and schedule an online webinar to review the platform, contact our C.A.R.E. Associate, Aaron Gillham, at agillham@alec.org.

ALEC-FreedomWorks Legislator of the Week

Fighting for Tort Reform in Missouri

Representative Bruce DeGroot | MO-101



This week, ALEC and FreedomWorks recognize **MO Representative Bruce Degroot** as the Legislator of the Week. Representative DeGroot is a proud husband and father of three who cares deeply about the state of lawsuit reform in his state. Degroot is especially concerned about Missouri's trial venue laws, noting, "Trial attorneys across the nation have manipulated our lax venue statute to make Missouri home to virtually any lawsuit they file."

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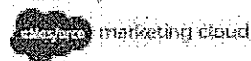


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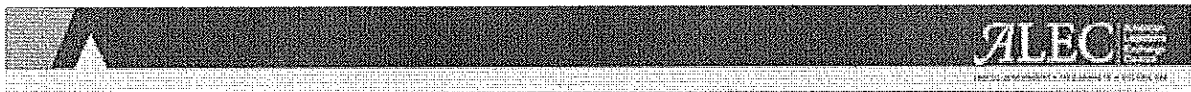


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Center to Restore the Balance of Government
June 12, 2018



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Chairman's Corner

Minimum Wage Levels – Let the States and Free Markets Decide

Speaker Linda Upmeyer | Iowa House of Representatives | Chair, Center to Restore the Balance of Government



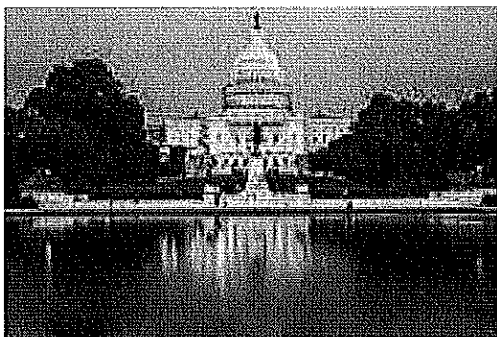
There is a wide variation in opinions on the minimum wage at both the national and state levels. Some would prefer minimum wages ranging from \$15 to more than \$20 per hour, while others would prefer no wage floor at all. What I am more concerned about is allowing the federal government in Washington D.C. to impose an arbitrary, one-size-fits-all mandate that doesn't consider the significant differences between our 50 unique states.

[Read more here.](#)

Task Force Announcement

Federalism Virtual Task Force Meeting - June 13 at 4pm ET

Karla Jones | Center to Restore the Balance of Government



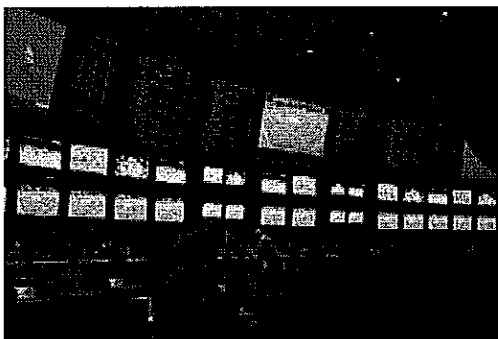
This is a reminder that the ALEC Task Force on Federalism and International Relations will hold a Virtual/Conference Call Task Force meeting to consider proposed draft model policy "***Draft Maximizing Opportunity and Minimizing Risk through Grant Process Reform***", which can be accessed [here](#).

The Virtual Meeting will take place at 4:00pm Eastern Time on Wednesday, June 13, 2018 via conference call. All members of the ALEC Task Force on Federalism and International Relations are strongly encouraged to participate on the call. RSVP to kjones@alec.org or 571-482-5017, if you have not already. An article that appeared on the ALEC Blog which provides an overview explaining the challenge the draft model policy is designed to address can be accessed [here](#). If adopted, the draft will be referred to additional Task Forces for their consideration.

Supreme Court Decision

Supreme Court Strikes Down Federal Law that Prevented Gambling on Sports

Ronald J. Lampard | American Legislative Exchange Council



States now have the authority to legalize sports gambling. The United States Supreme Court struck down the Professional and Amateur Sports Protection Act (PAPSA) on 10th Amendment and anti-commandeering grounds. Essentially, the Supreme Court ruled that the federal government could not prevent states from legalizing sports gambling. After PAPSA went into effect on January 1, 1993, it effectively prevented any state from legalizing sports gambling unless a state had already legalized it. In effect, this meant Nevada, which had vast state-sponsored sports bettors, and three other states that had more restricted betting (Delaware, Montana, and Oregon) were permitted to continue to allow sports betting, but other states were prohibited from authorizing it. [Read more here.](#)

International Trade Benefits the States

NAFTA and the Power of Foreign Direct Investment to Create Jobs

Karla Jones and Ian Cook | Federalism and International Relations Task Force



The prospects for modernization of NAFTA this year are dwindling as the Administration discovers what trade negotiators have long known – that negotiating trade deals is complicated. While NAFTA needs updates, an imperfect NAFTA is far preferable to no NAFTA at all. Read more about how the states benefit from this vital trade framework [here](#). Much of current U.S. trade policy misses the importance of foreign direct investment (FDI) in growing the American economy and creating American jobs. Foreign-owned businesses are responsible for more than 6 million jobs in the U.S., and according to [U.S. Department of Commerce statistics](#) Germany has consistently ranked among the top countries investing in America. 674,000 Americans are employed by German firms and almost half of those jobs are in manufacturing. Representative of German Industry and Trade (RGIT) recently published an excellent analysis of the trade and commerce that occurs between Germany and each of the states underscoring the key role foreign investment plays in our nation especially at the state level. See how German business is helping to grow your state's economy [here](#) and access the RGIT report [here](#).

International Democracy

High Level American Officials Should Visit Taiwan & Malaysia Elected a New Prime Minister – He's 92 Years Old!

Karla Jones and Lacey White | American Legislative Exchange Council



The Taiwan Travel Act which encourages visits between U.S. and Taiwanese officials at all levels was signed into law by President Trump. Since 1979 the U.S. restricted such exchanges in a misguided and self-imposed effort to uphold the spirit of the one-China principle. This doctrine has failed to increase economic or political liberalization in China. Indeed, China's autocratic course has accelerated with the elimination of presidential term limits by China's Communist Party Committee earlier this year enabling President Xi Jinping to remain in power indefinitely. Meanwhile on the other side of the Strait, Taiwan has become a vibrant free market outpost in a global neighborhood where genuine liberal democracies are uncommon. Read more about the Taiwan Travel Act [here](#). Malaysia's incumbent president redrew the political map to ensure his reelection and lost! The new Prime Minister plans to rein in corruption and scrap legislation that had a chilling effect on press freedoms. Read more about it [here](#).

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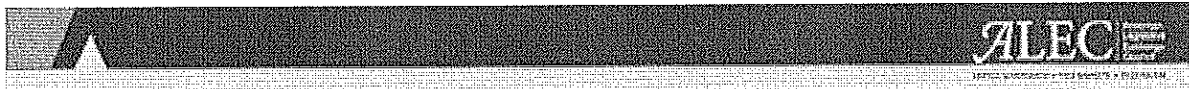
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ALEC Digital Exchange, June 14, 2018



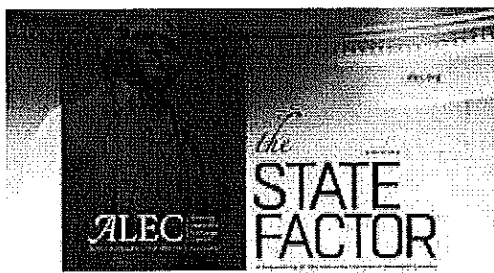
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Online Sales Tax

Learn More About Internet Sales Tax Ahead of Upcoming *Wayfair* Decision Center for State Fiscal Reform

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Online Sales Tax Collection, Constitutional Precedent, and Interstate Commerce: What You Need to Know

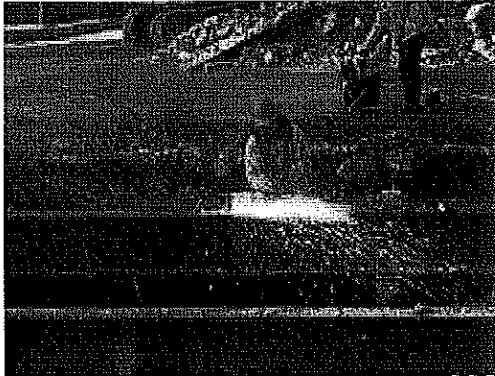
Download your copy now at www.statefactor.org

A Supreme Court decision is expected soon in the *South Dakota v. Wayfair* case before the U.S. Supreme Court, which is concerned with the collection of Sales Tax from online retailers. ALEC has produced a number of resources to educate lawmakers and policy leaders on the nuance of this issue, including a **State Factor Report**, an **Amicus Brief**, and an **Op-Ed in the Washington Examiner**. Check out these materials to learn about the topic ahead of this important decision.

Worker Freedom

Janus v. AFSCME: "Let Me Out"

Michael Slabinski and Ben Moulton | Commerce, Insurance, and Economic Development



An upcoming U.S. Supreme Court decision, *Janus v. AFSCME*, will once again put the issue of union fees, as a condition of employment, back on the table. If Mark Janus wins his case against the American Federation of State, County and Municipal Employees, millions of government workers across the country will no longer be forced to pay union dues that violate their First Amendment right.

[Read Article](#)

Facebook Live

Discussing State Responses to the Opioid Crisis

Ronald J. Lampard | Criminal Justice



Join us at **2:00 PM Today** for a Facebook Live discussion featuring Criminal Justice Director **Ronnie Lampard** discussing the state level responses to the opioid epidemic and identifying states that are leading the way in combatting it.

[Go to Facebook](#)

Transportation and Taxes

Are Drivers Getting a Good Deal for Gas Taxes?

Grant Kidwell | Energy, Environment, and Agriculture



Are American drivers getting a good deal on roads for what they pay in gas taxes?

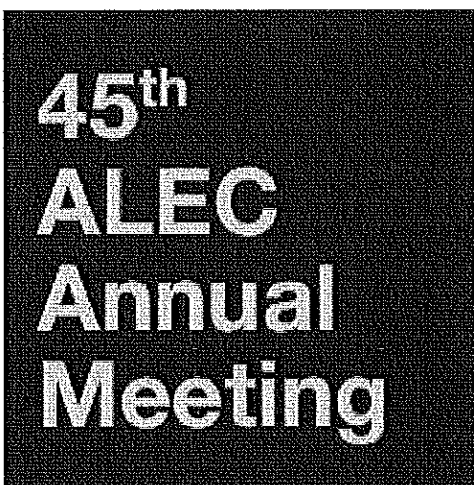
Most would struggle to answer the question since doing so would first require them knowing how much they pay in taxes at the pump. Americans are more likely to know how much they pay in sales taxes than they do in gas taxes. This is due to unique lack of transparency in transactions at gas stations.

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ALEC 45th Annual Meeting

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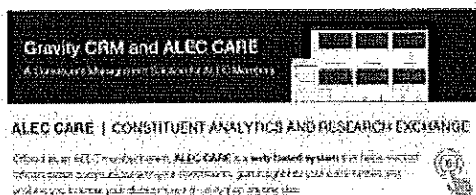


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ALEC CARE

Lawmakers: A Streamlined Constituent Relationship Manager For You

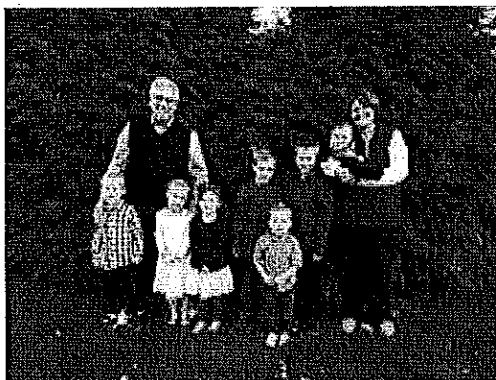


As an ALEC member you receive access to an online system for all constituent management needs. Track issues of concern, take notes regarding constituent calls, and even execute your own surveys to better know how to position yourself on key issues in your district. To activate your personal account, and schedule an online webinar to review the platform, **contact our C.A.R.E. Associate, Aaron Gillham, at agillham@alec.org.**

ALEC-FreedomWorks Legislator of the Week

Working for Families in Indiana

Representative Dale DeVon | IN-5



This week, ALEC and FreedomWorks recognize **Indiana Representative Dale DeVon** as the Legislator of the Week. Representative DeVon is homebuilder and small business owner who recognizes the importance of affordable housing. He also emphasizes the importance of families, having worked as a youth leader in his church and working with at-risk children to help them with a better future.

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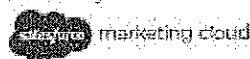


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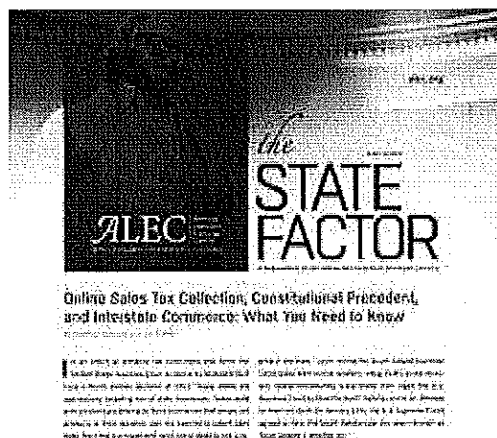
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Learn More About Internet Sales Tax Ahead of Upcoming *Wayfair* Decision Center for State Fiscal Reform

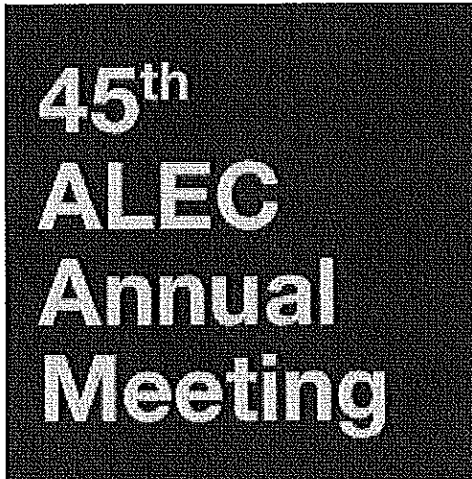


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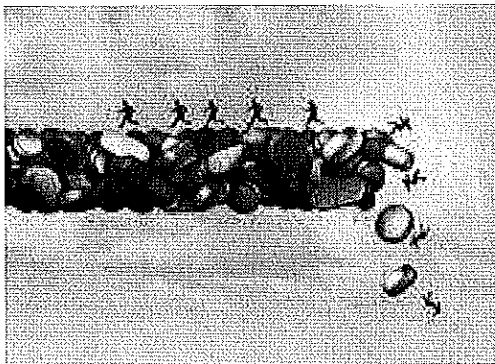
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Legislator Voices

On Opioids, Congress Can Learn from the States

Rep. John Nygren | WI-89 | *Washington Examiner*



"While no one denies the criminal component of illegal opioid use, legislators must address the opioid epidemic in the same way as we treat other public health issues — by treating the disease. For three years, I've read about increased awareness of the looming national epidemic, but state legislators have been debating and developing solutions — state-by-state — for almost a decade."

[Read Article](#)

Worker Freedom

Janus v. AFSCME: "Let Me Out"

Michael Slabinski and Ben Moulton | Commerce, Insurance, and Economic Development



An upcoming U.S. Supreme Court decision, *Janus v. AFSCME*, will once again put the issue of union fees, as a condition of employment, back on the table. If Mark Janus wins his case against the American Federation of State, County and Municipal Employees, millions of government workers across the country will no longer be forced to pay union dues that violate their First Amendment right.

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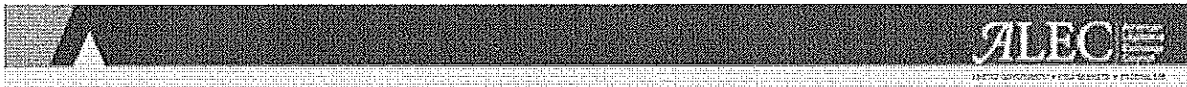
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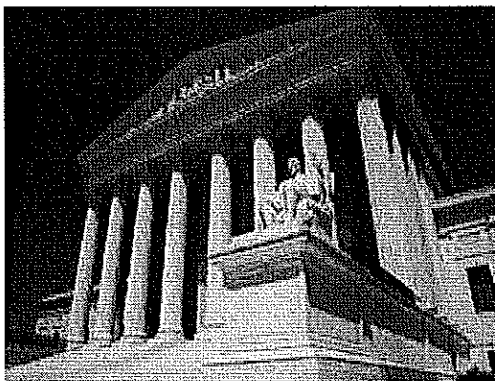


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Online Sales Tax

ALEC Statement on *South Dakota v. Wayfair* Decision

American Legislative Exchange Council



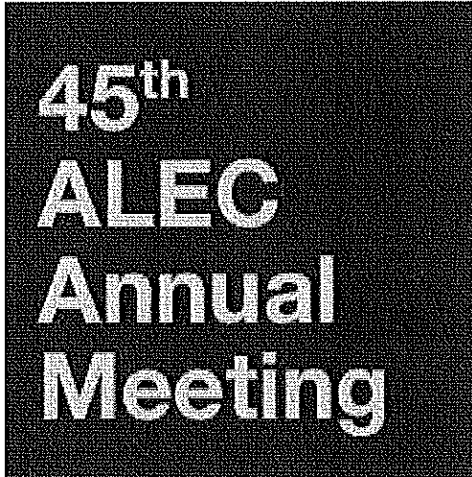
The Supreme Court today released their decision in *South Dakota v. Wayfair*, concerning the collection of sales tax for online retailers. ALEC has released a statement on the decision in the case, for which the organization has previously submitted an [Amicus Brief](#).

[View Statement](#)

ALEC 45th Annual Meeting

Early Bird Rates End Soon, Register for the 45th ALEC Annual Meeting Today

American Legislative Exchange Council



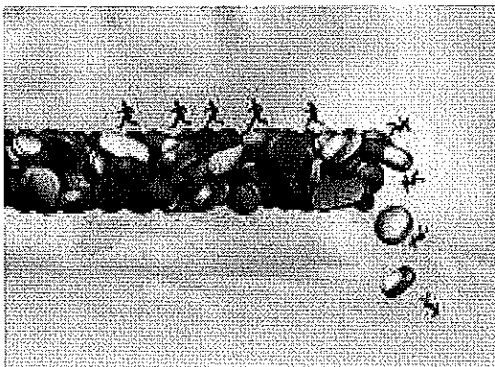
Registration is now open for the 45th ALEC Annual Meeting. **Early bird rates expire June 27**, so register soon to get the best value. The meeting will take place **August 8-10 in New Orleans, Louisiana**. ALEC looks forward to seeing you in New Orleans. To register or learn more about the meeting, follow the link below.

[Register Here](#)

Legislator Voices

On Opioids, Congress Can Learn from the States

Rep. John Nygren | WI-89 | *Washington Examiner*



"While no one denies the criminal component of illegal opioid use, legislators must address the opioid epidemic in the same way as we treat other public health issues — by treating the disease. For three years, I've read about increased awareness of the looming national epidemic, but state legislators have been debating and developing solutions — state-by-state — for almost a decade."

[Read Article](#)

ALEC-FreedomWorks Legislator of the Week

Good Leadership in Kansas

Sen. Susan Wagle | KS-30



This week, ALEC and Freedomworks introduce **Kansas Senator Susan Wagle** as this week's Legislator of the Week. Senator Wagle has served since 2013 as the 47th Senate President of Kansas. Prior to her time in the Senate, she was also the Speaker *pro tem* in the Kansas House of Representatives. Senator Wagle is a proponent of government transparency in contracting, stating "Transparency in these matters protects the contracts from political cronyism."

[Read Article](#)

Worker Freedom

***Janus v. AFSCME*: "Let Me Out"**

Michael Slabinski and Ben Moulton | Commerce, Insurance, and Economic Development



An upcoming important U.S. Supreme Court decision, *Janus v. AFSCME*, will once again put the issue of union fees as a condition of employment back on the table. If Mark Janus wins his case against the American Federation of State, County and Municipal Employees, millions of government workers across the country will no longer be forced to pay union dues that violate their First Amendment right.

[Read Article](#)

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As ALEC members you have access to an online portal to handle all your constituent management needs. Take notes on incoming interactions, track issues of concern, poll constituents for insight. All of this is at your fingertips, simply as part of your membership. To activate your personal account, and schedule an online webinar to review the platform, you can contact our C.A.R.E. Associate, Aaron Gillham, at agillham@alec.org



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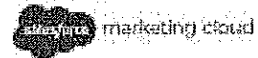


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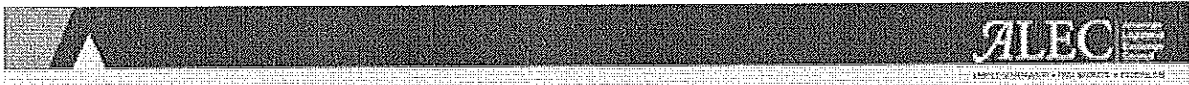


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Center to Protect Free Speech - June 26, 2018



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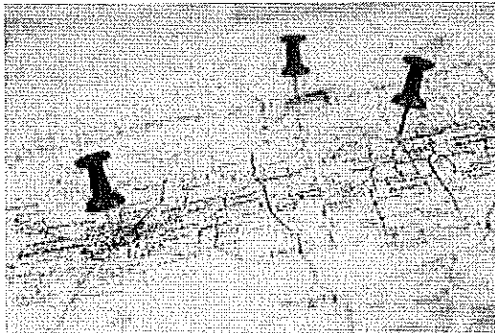


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Center Announcement

Have a Free Speech Issue Briefing in Your State

Contact Shelby Emmett for more information: Semmett@alec.org



We are currently scheduling issue briefings for the fall and planning ahead for 2019! These briefings cover the issues of campus speech, donor privacy and commercial speech. We have already held briefings in South Carolina, Michigan, Nebraska, West Virginia, Oklahoma, Kansas, Missouri and Pennsylvania and are continuing to hold briefings throughout the year.

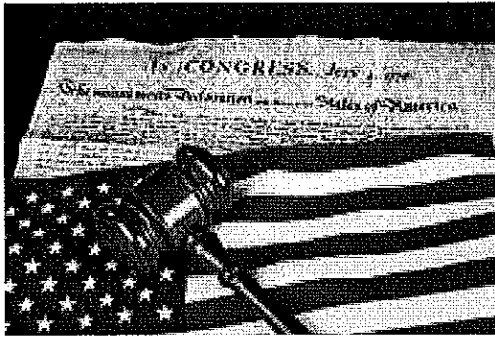
If you are interested in having an issue briefing in your state on free speech, click below and Shelby Emmett will reach out to you soon.

Schedule Yours Today

Free Speech News

The American Civil Liberties Union's Leaked Memo Reveals the Civil Liberties Organization is Committed to Free Speech—When Convenient

Robby Soave | *reason*



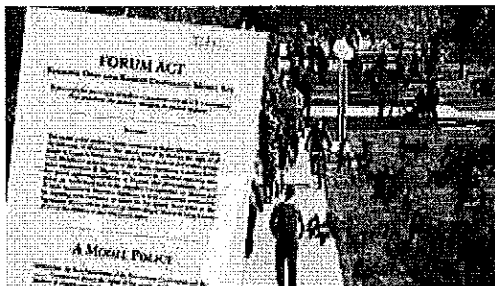
"Our defense of speech may have a greater or lesser harmful impact on the equality and justice work to which we are also committed," wrote ACLU staffers in a [confidential memo](#) obtained by former board member Wendy Kaminer.

[Read Article](#)

Campus Speech

ALEC-Influenced Free Speech Legislation Becomes Law in Louisiana

Corbin Robinson | Center to Protect Free Speech

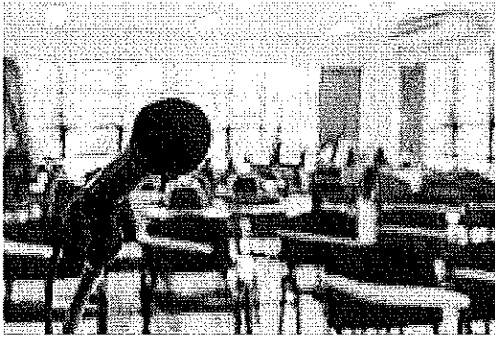


Louisiana recently took a step in the right direction to protect the First Amendment rights of individuals on public university and college campuses. Democrat Governor John Bel Edwards signed [SB364](#) into law, legislation that passed the Louisiana legislature with bipartisan support. Learn how the FORUM Act is not only good policy—but can pass with bipartisan support in your legislature.

[Read Article](#)

Free Speech and Campus Inclusion: A Survey of College Presidents

Lorelle L. Espinosa, Jennifer R. Crandall, and Philip Wilkinson | *HigherEducationToday*



The American Council on Education (ACE) recently surveyed nearly 500 college and university presidents to get their take on the state of free speech and inclusion on campuses today, as a companion to the new Knight-Gallup survey on student attitudes toward the First Amendment. ([You can access that companion piece here.](#)) When asked “How important do you consider protecting citizens’ free speech rights in our democracy?” Only 74% of college president’s said “extremely important”. This is concerning, especially for college presidents of public colleges and universities, as they are required under law to protect the First Amendment rights of their students. This is why holding administrators accountable—before simply punishing students—is paramount. Campus speech is a cultural problem, and the problem starts at the top.

[Read Article](#)

Commercial Speech

Give Me Coffee or Give me Death! Now the Government Wants to “Protect” Consumers from Coffee

Nate Raymond | *Reuters*



We all know California is ground zero of illogical, big-government policies designed to limited individual liberty, expand the size and role of government, and now, apparently make it harder for people to wake up and go to work on Monday mornings. In 2010, a lawsuit was filed by the Council for Education and Research on Toxics against coffee retailers arguing they were violating a California law that requires companies to warn consumers of chemicals in their products that could cause cancer.

In March, a Los Angeles judge ruled Starbucks and other coffee sellers must put a cancer warning on coffee sold in California, possibly exposing the companies to millions of dollars in fines. These local and state commercial speech regulations, usually disguised as necessary to

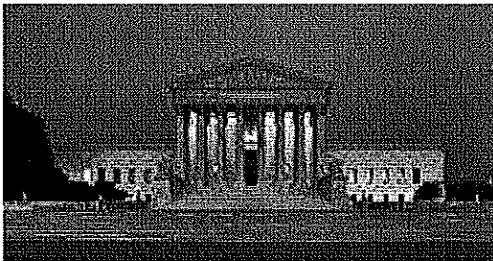
protect "public health", may actually violate the First Amendment, hurt small and big business alike, and make it more expensive for consumers to buy products as the cost of compliance for such regulations is usually passed down to the consumer. Remember, it is imperative to empower consumers by protecting their right to receive truthful commercial information, and the rights of businesses to engage in the free exchange of such truthful information. The case will likely be appealed.

[Read Article](#)

Donor Privacy/Disclosure

NAACP v. Alabama after 60 Years: Should Associational Privacy Still Be Protected by the Constitution?

Cato Institute



Sixty years ago, the United States Supreme Court decided the landmark case of NAACP v. Alabama. The Court ruled against the state and discerned a "vital relationship between freedom to associate and privacy in one's associations." The decision remains a high point from the civil rights era. Since the decision, the Court has placed few limits on government's power to mandate disclosure of political activities and associations.

As the new online era of speech dawns, the principles at stake in NAACP v. Alabama remain at the center of public debates. Is the right to associational privacy recognized in NAACP v. Alabama still good law? Or should the Court reconsider the tie between privacy and association? The CATO institute will host a vigorous debate on **Thursday, June 28th from 12pm-1:30pm** that takes this important anniversary as a starting point for our common future. If you can't attend the debate, you can watch it live online at www.cato.org/live and join the conversation on Twitter using #Cato1A.

[View Event](#)

Institute for Free Speech: Free Speech Index – Grading the 50 States on Political Giving Freedom

Institute for Free Speech



The Free Speech Index ranks and grades all 50 states on the freedom of individuals, political parties, and groups to contribute to causes and candidates they support. This tool will assist citizens, lawmakers, and the media in evaluating how their states treat political speech rights. You can access the full Free Speech Index – Grading the 50 States on Political Giving Freedom [here](#).

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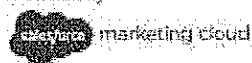


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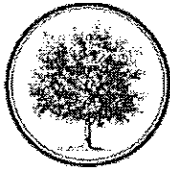
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Sent: Wednesday, June 27, 2018 10:47 AM

To: Rep48

Subject: The Buckeye Institute: Reducing Ohio's Regulatory Burden Would Boost the Economy and Grow Jobs



THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

FOR IMMEDIATE RELEASE

June 27, 2018

(614) 224-3255 or Lisa@BuckeyeInstitute.org

The Buckeye Institute: Reducing Ohio's Regulatory Burden Would Boost the Economy and Grow Jobs

*Greg Lawson Testifies Before the Ohio Senate
Transportation, Commerce, and Workforce Committee*

Columbus, OH -- The Buckeye Institute's Greg R. Lawson testified today (see full text below or **download a PDF**) before the Ohio Senate Transportation, Commerce, and Workforce Committee on Senate Bill 293.

In opening his testimony, Lawson recognized the importance of regulations that protect public health and safety, but pointed out that "Ohio desperately needs regulatory reform that eliminates unnecessary regulations that strangle private industry and enterprise as part of the state's broader reform efforts to boost economic growth."

Highlighting Ohio's onerous occupational licensing regime as a good place to begin reducing Ohio's regulatory burden, Lawson noted that the licensing requirements of professions such as auctioneers, travel guides, hairdressers, and flower arrangers, to name a few, do little-to-nothing to protect public health and safety, but add to Ohio's regulatory burden and Ohio's "economy and citizens suffer for it."

Lawson noted that Buckeye's research on **occupational licensing** and **forced government energy mandates** has shown the negative impact and economic trade-offs over regulation

has on job creation, stating, "Ohio must also reexamine government mandates that interfere with market-pricing and make goods artificially more expensive for businesses. Such interference ultimately leads to slower job growth as businesses curtail hiring and wages in order to offset the artificially higher costs created by the mandates."

In closing, Lawson praised the Senate's efforts to "develop a meaningful process to methodically and thoughtfully reduce regulatory restrictions and burdens on all Ohioans."

###

**Interested Party Testimony on Senate Bill 293
Before the Ohio Senate Transportation, Commerce, and Workforce Committee**

**Greg R. Lawson, Research Fellow
The Buckeye Institute
June 27, 2018**

Chairman LaRose, Vice Chair Kunze, Ranking Member Schiavoni, and members of the Committee, thank you for the opportunity to testify today regarding the need for regulatory reform in Ohio and Senate Bill 293.

My name is Greg R. Lawson. I am the research fellow at **The Buckeye Institute**, an independent research and educational institution -- a think tank -- whose mission is to advance free-market public policy in the states.

The Buckeye Institute applauds the Senate for taking up regulatory reform in an effort to cut bureaucratic red tape. Ohio desperately needs regulatory reform that eliminates unnecessary regulations that strangle private industry and enterprise as part of the state's broader reform efforts to boost economic growth. If Ohio does not focus its regulations and rules on protecting the public from genuine harm, the state will continue to see slow growth and low prosperity.

Some regulations, of course, are essential for preserving public health and safety. No one wants doctors using unsterilized medical equipment, or inadequately trained engineers designing bridges, or toxic chemicals polluting our soil and waterways. Requiring appropriate education and training for physicians, healthcare providers, pilots, and truck drivers helps safeguard the general public in our hospitals and on our roads and runways. But the same cannot be said with respect to auctioneers, travel guides, and hairdressers -- all currently subject to Ohio's byzantine and overly restrictive licensing requirements.

Occupational licensing restrictions present a growing problem at both the state and national level. In 2008, nearly 30 percent of the U.S. workforce was required to hold a license in order to go to work.[1] In 1970, that number was only 10 percent.[2] But even as the scope of occupational licensure has expanded, it is unclear that such licensure has added much value to or improved the quality of goods and services. Studies have shown, for example, that stricter licensure requirements have had little effect on the quality of care provided by dentists[3] or on the quality of service offered by flower arrangers.[4] That dentists are subject to licensing requirements is not troubling or surprising, but that flower arranging should require the state's permission slip is -- which makes the lack of any noticeably improved quality all the more concerning.

And although some occupational licensing does indeed provide the public with some residual benefit, that benefit is not without cost. Expansive licensing schemes costs the community jobs.

Professor Morris Kleiner testified before the U.S. Senate Judiciary Committee that his research concluded that licensing laws cost between a half and one percent of jobs nationally in 2010.[5] Those seemingly small percentages amount to tens of thousands of unborn jobs across America that never came into existence -- a claim bolstered by research out of the Brookings Institute's Hamilton Project revealing that stringent licensing requirements result in fewer providers of the services subject to the requirements.[6] Fewer providers means fewer employers and fewer available jobs.

Perhaps unsurprisingly, given Professor Kleiner's findings, the Obama Administration released a detailed report in 2015 calling for nationwide reforms to occupational licensing.[7] Echoing bipartisan support for such measures, the Trump Administration's Secretary of Labor has since recognized that:

"Americans want principled, broad-based reform. If licenses are unnecessary, eliminate them. If they are needed, streamline them. And, if they are honored by one state, consider honoring them in your own state. Americans looking to enter the workforce deserve no less than our most ardent efforts to remove regulatory barriers so that they can have a job."[8]

Ohio, unfortunately, continues to contribute to the nation's licensing crisis -- and its economy and citizens suffer for it.

The Buckeye Institute's report, *Forbidden to Succeed: How Licensure Laws Hold Ohioans Back*, showed not only that Ohio's licensing burdens are more stringent than the national average, but also that nearly every Ohio license that requires training can be earned in less

time in another state.[9] Our subsequent study, *Still Forbidden to Succeed: The Negative Effects of Occupational Licensing on Ohio's Workforce*, confirmed the disturbing and stubborn fact that Ohio's licensing requirements erect higher barriers to employment for those most in need of quality jobs: middle-aged and low-income workers, and those without a college degree.[10]

Our macroeconomic dynamic model, developed by economists at The Buckeye Institute's **Economic Research Center**, revealed that Ohio's licensing requirements have prevented more than 7,000 people between the ages of 25-45 from pursuing licensed occupations, and have discouraged people from migrating to Ohio to enter the job market. The model also showed that high licensing costs keep workers from good-paying professions, and suggests that without such costs more workers would find employment.[11]

Consider Jennifer McClellan. A new mother, a long-time professional, and a licensed massage therapist, Ms. McClellan tried moving back to Ohio to be closer to her family, but the Ohio State Medical Board denied her license application because she was 10 days shy of the state's training requirements.[12] The board unduly discounted years of training and work experience, and would not honor the license she had already earned in Minnesota.

Ms. McClellan is not alone. Ohio cosmetologists, for example, must complete 250 more hours of training than their peers in Pennsylvania and 500 more hours than hairdressers in New York.[13] Such onerous cosmetology training requirements become laughable when compared to the 150 hours of training required to be a state certified Emergency Medical Technician (EMT).[14] Requiring cosmetologists to have *10 times* the training of basic EMTs, makes the case for licensing reform as clear as can be.

Beyond occupational licensing reform, Ohio must also reexamine government mandates that interfere with market-pricing and make goods artificially more expensive for businesses. Such interference ultimately leads to slower job growth as businesses curtail hiring and wages in order to offset the artificially higher costs created by the mandates. Ohio's Renewable Portfolio Standard (RPS), for example, has a very limited effect on public safety, but a tragically negative effect on job creation and employment.[15]

Advocates of Ohio's RPS requirements assured that the standard would create jobs while making the environment cleaner and healthier. Unfortunately, as The Buckeye Institute's research has shown, the RPS actually results in fewer jobs across the state.[16] Using a realistic scenario, our dynamic macroeconomic model estimated that Ohio's current RPS could mean as many as 63,000 *fewer* jobs in Ohio by 2022.[17] Using even more conservative assumptions, the study estimated that the RPS will cost more than 25,400 people employment by 2022.[18] Renewable energy will undoubtedly play a larger role in

the state and national energy mix, but Ohio's mandates make energy prices higher today and create significant red-tape hurdles for manufacturers who are forced to spend more money to meet their energy needs and less on hiring.

Other academic research supports our concerns about the dire impact that regulations have on job creation. The Regulatory Studies Center at George Washington University, for instance, has noted that most empirical analyses find that regulation has a negative effect on entrepreneurship,[19] which should concern lawmakers because research also shows that first-year entrepreneurial start-ups have historically been net job creators even as existing businesses are net job destroyers.[20] Thus, regulations that harm entrepreneurship, harm job growth.

The Ohio Senate's more recent steps to improve the state's regulatory environment, such as Senator Uecker's Senate Bill 221 allowing the Joint Committee on Agency Rule Review to conduct more immediate reviews of rules and their effects, and Senator McColley's Senate Bill 255 reforming Ohio's occupational licensing regime, are steps in the right direction.

Senate Bill 293 builds upon those efforts by requiring state agencies to review their existing rules and identify those rules that have regulatory restrictions that include the words "shall," "must," "require," "shall not," "may not," and "prohibit." When the Mercatus Center at George Mason University studied the use of these regulatory words and corresponding restrictions across multiple states, it concluded that Ohio compares poorly.[21] Despite some methodological limitations, the Mercatus Center study offers a rough quantification of the regulatory burden that the Ohio Administrative Code imposes on Ohioans.[22] Senate Bill 293 makes good use of the Mercatus study by requiring every state agency to take a closer look at its existing restrictions and then requiring them to prepare a base inventory of those restrictions in order to begin limiting and reducing their numbers.

Canada's British Columbia adopted a similar policy creating a regulation inventory and then capping the maximum allowable regulatory restrictions.[23] Since 2001, British Columbia has reduced its regulatory restrictions by nearly 50 percent -- and without endangering public safety.[24]

A comprehensive inventory of agency restrictions will give policymakers a clearer picture of where the state's bureaucratic red tape truly lies; and a cap on regulatory restrictions will compel agencies and the General Assembly to carefully consider and prioritize any new restriction proposed. Senate Bill 293 advances the Senate's yeoman's effort to develop a meaningful process to methodically and thoughtfully reduce regulatory restrictions and burdens on all Ohioans.

Thank you for your time and consideration. I welcome any questions that the Committee might have.

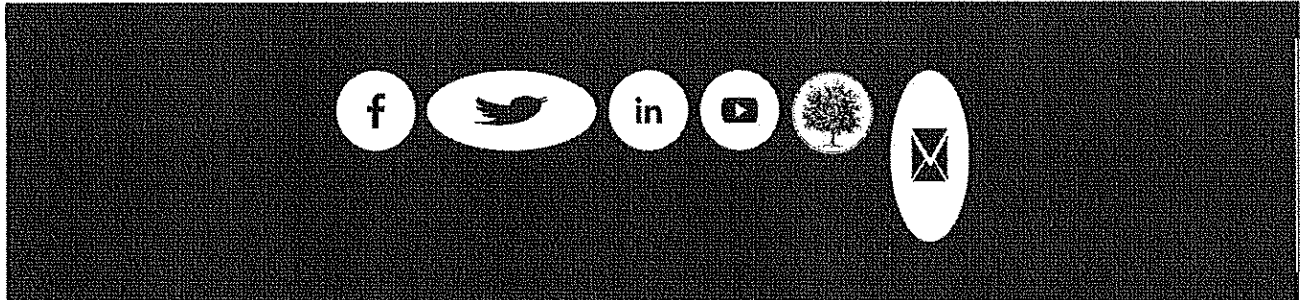
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- [1] Morris M. Kleiner, *Occupational Licensing: Protecting the Public Interest or Protectionism?*, W.E. Upjohn Institute for Employment Research, July 2011.
- [2] *Ibid.*
- [3] Morris M. Kleiner and Robert T. Kudrle, *Does Regulation Affect Economic Outcomes?: The Case of Dentistry*, working paper, National Bureau of Economic Research, January 1997.
- [4] Dick M. Carpenter, *Blooming Nonsense: Licensure and Consumer Protection*, *Regulation*, Spring 2011, Volume 34 Issue 1, p. 44-47.
- [5] Morris M. Kleiner, *License to Compete: Occupational Licensing and the State Action Doctrine*, Testimony before the U.S. Senate Committee on the Judiciary, Subcommittee on Antitrust, Competition Policy, and Consumer Rights, February 2, 2016.
- [6] Morris M. Kleiner, *Reforming Occupational Licensing Policies*, The Hamilton Project, March 2015.
- [7] The White House, *Occupational Licensing: A Framework for Policymakers*, July 2015.
- [8] Secretary of Labor Alexander Acosta, *Speech before the 44th Annual Meeting of the American Legislative Exchange Council*, U.S. Department of Labor, July 21, 2017.
- [9] Tom Lampman, *Forbidden to Succeed: How Licensure Laws Hold Ohioans Back*, The Buckeye Institute, November 18, 2015.
- [10] Orphe Pierre Divounguy, PhD, Bryce Hill, and Greg R. Lawson, *Still Forbidden to Succeed: The Negative Effects of Occupational Licensing on Ohio's Workforce*, The Buckeye Institute, December 18, 2017.
- [11] *Ibid.*
- [12] Greg R. Lawson, *Goodbye, Ohio. A Talented Massage Therapist Forced to Leave State Because of Crazy Licensing Rules*, The Buckeye Institute, February 29, 2016.
- [13] Ohio Revised Code §4713.28.
- [14] Ohio Administrative Code §4765-15-05.
- [15] Orphe Divounguy, PhD., Rea S. Hederman, Jr., Joe Nichols, and Lucas Spitzwieser, *The Impact of Renewable Portfolio Standards on the Ohio Economy*, The Buckeye Institute, March 3, 2017.
- [16] Greg R. Lawson, research fellow, The Buckeye Institute, *Testimony Before the Ohio Senate Energy and Natural Resources Committee*, June 6, 2018.
- [17] *Ibid.*
- [18] *Ibid.*
- [19] Ana Maria Zarate Moreno, *Regulation, Innovation, and Entrepreneurship: A Review of the Literature*, Regulatory Studies Center, George Washington University, December 8, 2015.
- [20] Tim Kane, *The Importance of Startups in Job Creation and Job Destruction*, Ewing Marion Kaufman Foundation, September 9, 2010.
- [21] James Broughel and Jonathan Nelson, *A Snapshot of Ohio Regulation in 2018*, Mercatus Center, February 26, 2018.
- [22] The Mercatus study counts all restrictive words but does not distinguish between those restrictions that apply to Ohio citizens or businesses from those that apply to state agency actions and thus might actually prove beneficial. The study also does not distinguish between rules that are imposed strictly by the state from those that incorporate federally imposed mandates.
- [23] *Regulatory and Service Improvement BC: How We Count*, Province of British Colombia (Last visited June 25, 2018).

[24] Ministry of Small Business and Red Tape Reduction and Responsible for the Liquor Distribution Branch, *Achieving a Modern Regulatory Environment: B.C.'s Regulatory Reform Initiative*, Province of British Colombia, 2017.

###

Founded in 1989, The Buckeye Institute is an independent research and educational institution -- a think tank -- whose mission is to advance free-market public policy in the states.

The Buckeye Institute is a non-partisan, non-profit, and tax-exempt organization, as defined by section 501(c)(3) of the Internal Revenue code. As such, it relies on support from individuals, corporations, and foundations that share a commitment to individual liberty, free enterprise, personal responsibility, and limited government. The Buckeye Institute does not seek or accept government funding.



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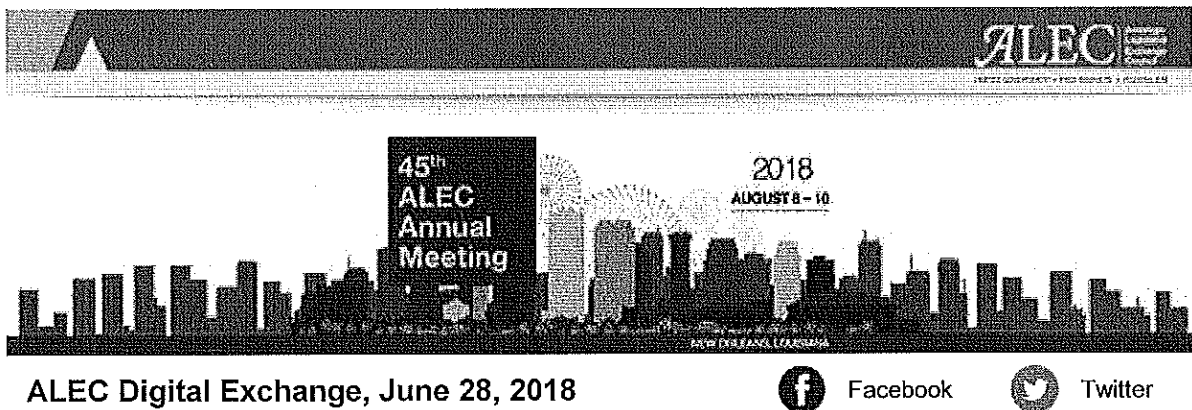
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Worker Freedom

ALEC Statement on *Janus v. AFSCME* Decision

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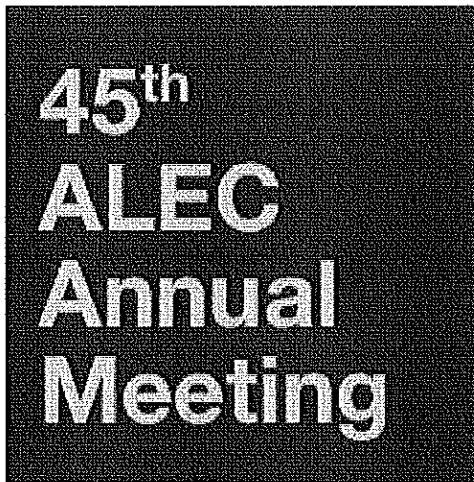
Yesterday, the Supreme Court released its decision in *Janus v. AFSCME*, which concerns the mandatory collection of union fees. Click below to see the ALEC statement on the decision and to see why it represents a victory for free speech.

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ALEC 45th Annual Meeting

Register for the 45th ALEC Annual Meeting Today

American Legislative Exchange Council



Registration is currently open for the 45th ALEC Annual Meeting. The meeting will take place **August 8-10 in New Orleans, Louisiana**. Don't miss your opportunity to hear from Secretary of Transportation **Elaine Chao** and other top policymakers. To register or learn more about the meeting, follow the link below.

[Register Here](#)

Free Speech

ALEC-Influenced Free Speech Legislation Becomes Law in Louisiana

Corbin Robinson and Shelby Emmett | Center to Protect Free Speech



Louisiana recently took a step in the right direction to protect the First Amendment rights of individuals on public university and college campuses. Legislators wishing to follow in Louisiana's footsteps can find a positive starting point in the American Legislative Exchange Council's model policy: the [Forming Open and Robust University Minds \(FORUM\) Act](#).

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ALEC-FreedomWorks Legislator of the Week

Finding Solutions in Ohio

Rep. Bill Seitz | OH-30



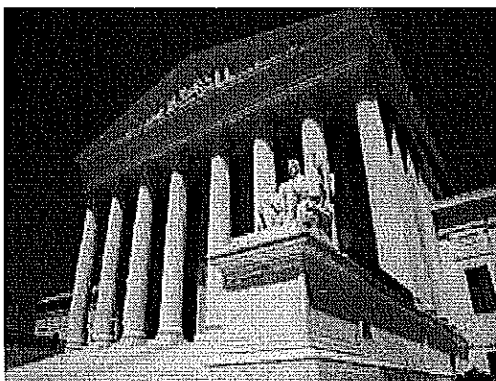
This week, ALEC and Freedomworks introduce **Ohio Representative Bill Seitz** as this week's Legislator of the Week. Representative Seitz has served in both houses of the Ohio Legislature and is familiar with the issues facing his state. Of particular importance to Representative Seitz are prison overcrowding, combatting the opioid epidemic and the development of a comprehensive energy policy for Ohio.

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Supreme Court

Single Retirement May Change Balance of Power on the Supreme Court

Ronald J. Lampard | Criminal Justice

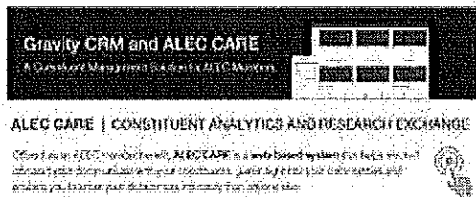


Yesterday, Justice Anthony Kennedy announced his retirement, effective July 31. With the upcoming midterm elections, both Democrats and Republicans will seek to rally their respective bases as the nomination process of Kennedy's successor moves forward.

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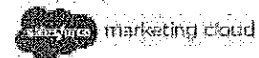


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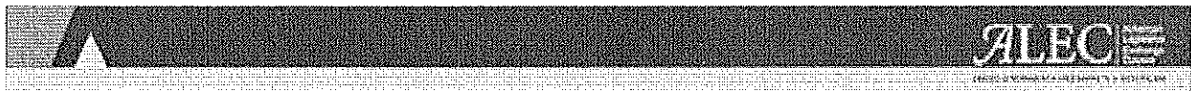


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Center for Innovation and Technology - July 3, 2018

States Make Game of Looting Video Games

From Center For Innovation and Technology VP Bartlett Cleland



Some might recall searching for "pirate treasure" in their youth, hoping to come across an abandoned gold mine brimming with wealth, or even finding a path to candy land. Some who are older search for the golden city of El Dorado, the Fountain of Youth, or the Knights Templar treasure on Oak Island. But online, for those playing video games, "loot boxes" are the sought treasure.

Loot boxes are a virtual item that may be found, or purchased, within some video games. They result in a player receiving a fairly random assortment of items that could include armor, weapons, a cosmetic item to customize a player's "character" in the game, or other similar treasures. So, in other words, a loot box is a virtual treasure chest filled with randomized virtual loot for a person's virtual character. But these in-game bits of fun and make believe are under attack, by the same sort of people who likely oppose an un-regulated and un-taxed kid's lemonade stand.

Some state legislators have argued that loot boxes are corrupting and even introduced legislation to restrict them as they would restrict those who stand in a

casino pulling the arm of a slot machine, under the mistaken impression that somehow loot boxes were gambling. In Hawaii, legislation has been proposed that would disallow all retailers, brick and mortar as well as online, from selling games to anyone under twenty-one years old if the game includes loot boxes. Other legislation there would require video game companies to publicly disclose the odds of obtaining a vortal blade or perhaps the "Road Hog" skin in Overwatch in a loot box. And just to make sure government can gain full regulatory power, the legislation would also give the state Department of Commerce the power to audit the game code to confirm the odds.

Legislators in the state of Washington were a bit more forthright in making clear that the real goal is merely to regulate video games. The author of the bill that would require the state gambling commission to examine loot boxes says, "What the bill says is, 'Industry, state: sit down to figure out the best way to regulate this.'" In Indiana, legislation was introduced that pre-judged the outcome, requiring an examination of whether loot boxes were a form of "predatory gambling." Other states to consider the issue have been California, Minnesota and New York.

So why would any state legislature be led to believe that a fun addition to a game that is not necessary for play of the game would be gambling? Hard to say, especially as loot boxes fail the three-part federal definition of gambling. To be considered gambling something of value must be staked for a chance to win something of value. For example, loot boxes return no prize as nothing of value in the real world is given, and because of the limitations of terms of service in the games, they cannot be converted to any real-world value. So, to the extent anyone finds the contents of a loot box valuable in the game, it is of value in a make-believe game, and therefore has pretend value.

Government has a tendency to keep growing, to expand into areas never considered as a place for regulation or taxation. Or as in this case, trying to define new activities to fit into existing regulatory models. Fueled by ignorance, attempts to regulate games is akin to legislatures wanting to bring expanded government to the land of make believe.



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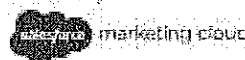


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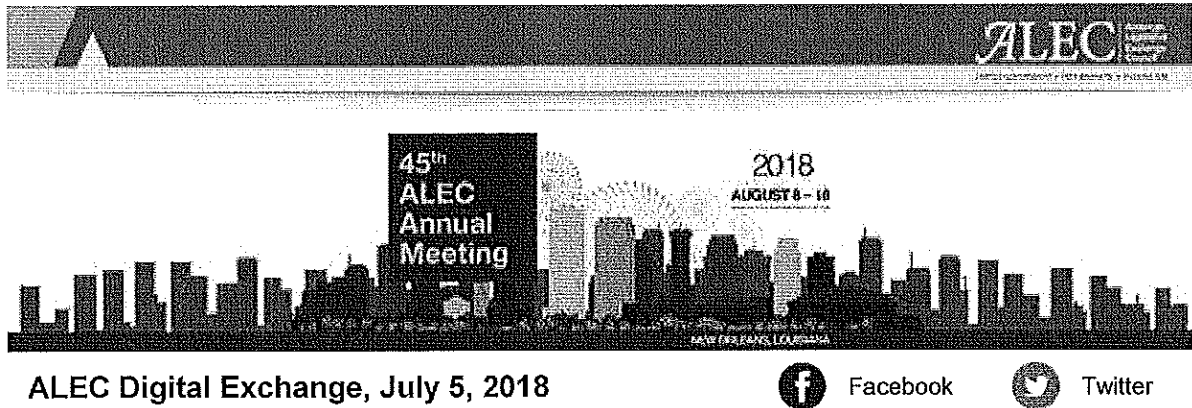


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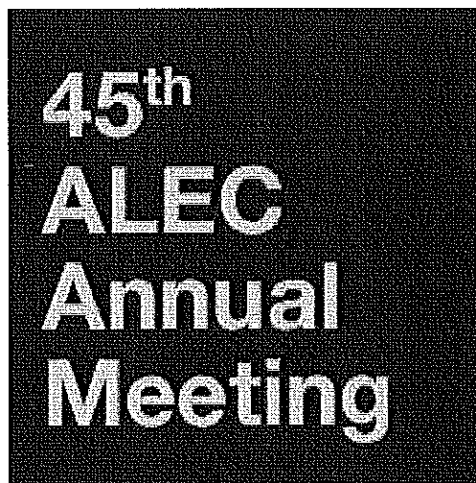
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ALEC 45th Annual Meeting

Register for the 45th ALEC Annual Meeting Today

American Legislative Exchange Council



Registration is currently open for the 45th ALEC Annual Meeting. The meeting will take place **August 8-10 in New Orleans, Louisiana**. Don't miss your opportunity to hear from Secretary of Transportation **Elaine Chao** and other top policymakers. To register or learn more about the meeting, follow the link below.

[Register Here](#)

Legislator Voices

Untangling PA's Finances Requires a Transparent State Government

Representative Seth Grove | PA-196 | *PennLive.com*



"Harrisburg has a problem when it comes to money. Our state government is not the most transparent in the nation...The time has come for Pennsylvania to adopt tried and true reforms to dramatically improve its financial transparency.

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Education

Schools Should Prioritize Great Teachers over Bureaucratic Bloat

Taylor Topham and Inez Feltscher-Stepman | Education



By streamlining district budgets and making sure we're rewarding effective teachers instead of multiplying bureaucrats, states and districts can retain the most crucial staff for students= 2 achievement and learning, rather than protecting those who are failing American students.

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ALEC-FreedomWorks Legislator of the Week

Spearheading Economic Empowerment in Nebraska

Senator Laura Ebke | NE-32



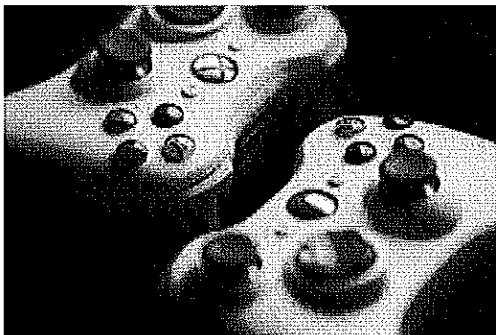
This week, ALEC and Freedomworks introduce **Nebraska Senator Laura Ebke** as this week's Legislator of the Week. Senator Ebke is a native Nebraskan who cares about reducing the footprint of government in everyday life. She sees unfair occupational licensing requirements as oppositional to economic development and has worked to lessen those burdens.

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Innovation and Technology

States Make Game of Looting Video Games

Bartlett Cleland | Center for Innovation and Technology



Government has a tendency to keep growing, to expand into areas never considered as a place for regulation or taxation. Or as in this case, trying to define new activities to fit into existing regulatory models. Fueled by ignorance, attempts to regulate games is akin to legislatures wanting to bring expanded government to the land of make believe.

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ALEC CARE

Lawmakers: A Convenient and Easy Constituent Relationship Manager for You



ALEC CARE | CONSTITUENT ANALYTICS AND RESEARCH EXCHANGE

ALEC CARE is an ALEC member benefit. ALEC CARE is a web-based system that allows members to share constituent data, analytics, and research. It is a secure, private, and easy-to-use platform that allows members to share constituent data, analytics, and research.



As ALEC members you have access to an online portal to handle all your constituent management needs. Take notes on incoming interactions, track issues of concern, poll constituents for insight. All of this is at your fingertips, simply as part of your membership. To activate your personal account, and schedule an online webinar to review the platform, you can contact our C.A.R.E. Associate, Aaron Gillham, at agillham@alec.org



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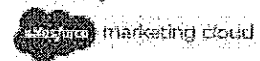


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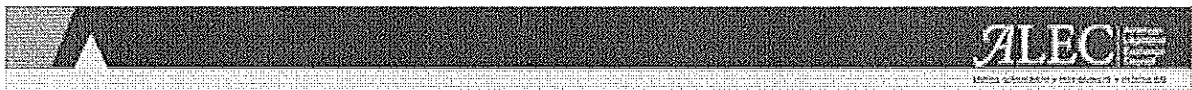


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Center for State Fiscal Reform - July 10, 2018



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ALEC On The Air

Center For State Fiscal Reform Tackling Tax Issues in the States

Center for State Fiscal Reform

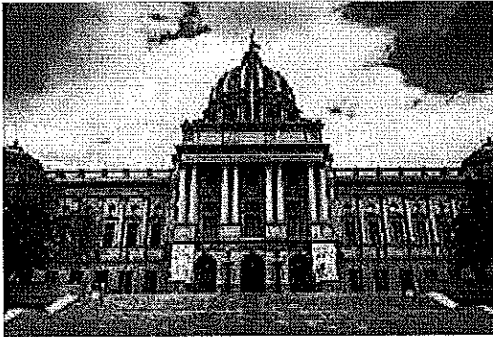


ALEC Chief Economist and VP of the Center for State Fiscal Reform **Jonathan Williams** joined Pennsylvania statewide TV program **PMA Perspective** to discuss the 11th Edition of *Rich States, Poor States* as well as the state of fiscal policy in Pennsylvania. Williams also joined the **Caffeinated Thoughts Podcast** to talk about economic outlook in Iowa as the Center continues to address fiscal issues at the state level.

Legislator Voices

Untangling PA's Finances Requires a Transparent State Government

Representative Seth Grove | PA-196 | PennLive.com



"Harrisburg has a problem when it comes to money. Our state government is not the most transparent in the nation; in fact, we rank below average...The time has come for Pennsylvania to adopt tried and true reforms to dramatically improve its financial transparency."

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Expert Opinion

The Governors' Encouraging Embrace of Sensible Tax Policies

Joel Griffith and Jonathan Williams | Center for State Fiscal Reform | *Governing.com*



Protecting taxpayers, growing our economy, and adding good-paying jobs will always be a top priority for my office. I am proud our pro-growth, pro-taxpayer, economic policies are being recognized.

Fiscal discipline remains as important as ever; generally speaking, states with responsible spending habits, lower tax rates and fewer regulations outperform others in economic growth. It's encouraging to see so many governors endorsing market-oriented tax and fiscal policies.

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Expert Insight

Don't Believe the Hype About a Carbon Tax

Jonathan Williams and Vance Ginn | *RealClearEnergy*



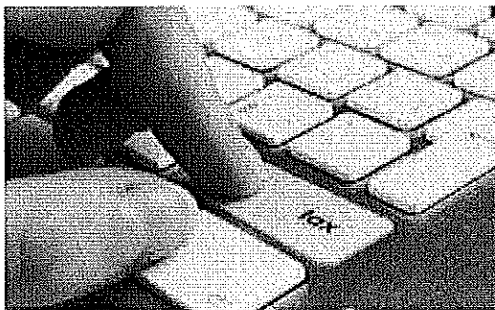
Gasoline prices have been rising recently as tensions heighten in the global oil market. These increases may soon be exacerbated if some advocates of a carbon tax get their way. With its flawed assumptions and high costs, politicians should ignore the hype and just say no to a carbon tax.

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Online Sales Tax

Online Sales Taxes Won't Solve States' Budget Problems

Jonathan Williams and Jessica Melugin | *Washington Examiner*



Today, many states are enjoying a revenue windfall from national economic growth, as well as the new revenue thanks to recent federal tax reforms. So, the big question many are beginning to ask is: why do states need to unearth yet another revenue source?

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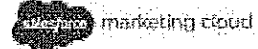


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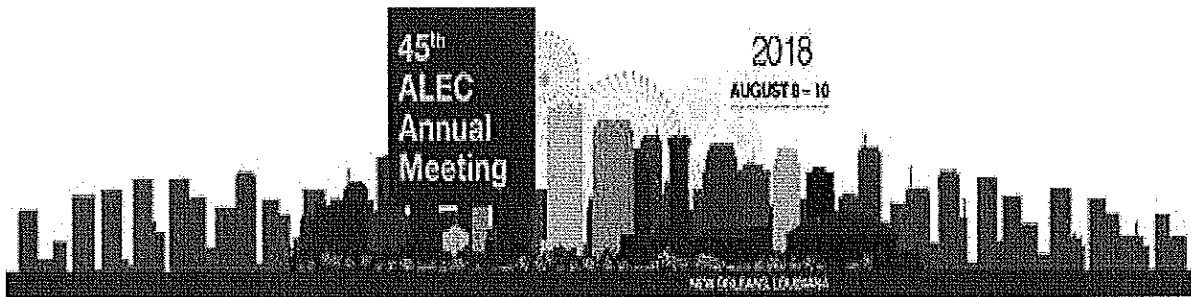


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Sent: Tuesday, July 10, 2018 4:13 PM
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Subject: Important: 45th ALEC Annual Meeting Draft Policy Distribution

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Dear Communications and Technology Task Force Members,

As the 45th ALEC Annual Meeting nears, we are excited to share with you what the task force will be discussing and deliberating. Please make sure to take a look at the important 30-Day Notification materials below. Included on your Task Force's webpage are draft agendas for the subcommittees, working groups and the Task Force meeting, as well as the model policies up for Task Force consideration.

[View Agenda and Draft Policy](#)

[View All 2018 Annual Meeting Draft Policies](#)

I look forward to seeing you in New Orleans at what is going to be a great conference!

Best,

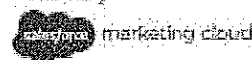
Jonathon Hauenschild, Director

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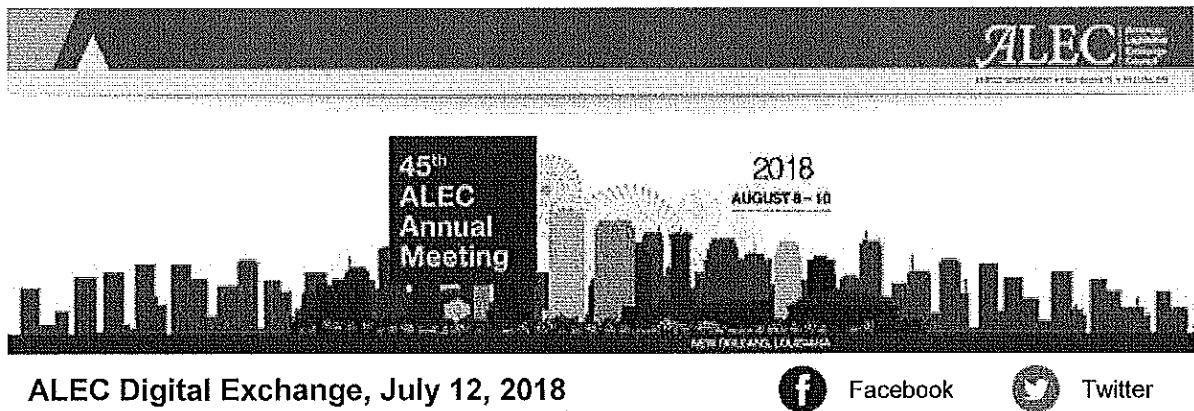
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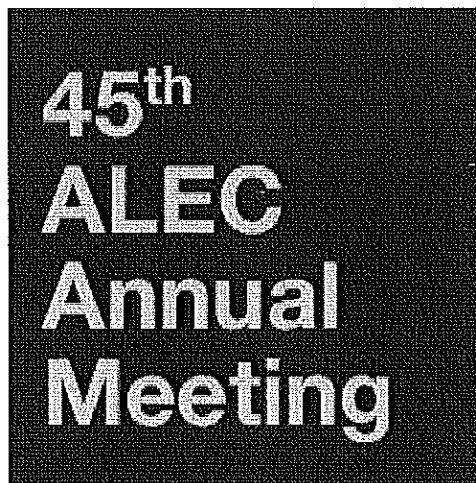
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ALEC 45th Annual Meeting

Draft Model Policy For Annual Meeting Available Online

American Legislative Exchange Council



All draft model policy to be considered at the 45th ALEC Annual Meeting has been posted online for review, to view these draft policies, follow the link below.

Registration is ongoing. Don't miss your opportunity to hear from Secretary of Transportation **Elaine L. Chao** and other top policymakers. To register or learn more about the meeting, follow the link below.

[Register Here](#)

[View Draft Model Policy](#)

Legislator Voices

Untangling Pennsylvania's Finances Requires a Transparent State Government

Representative Seth Grove | PA-196 | *PennLive.com*



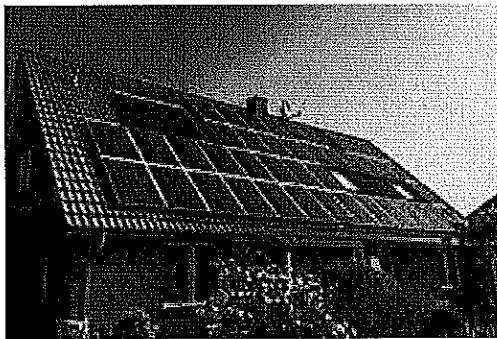
"Harrisburg has a problem when it comes to money. Our state government is not the most transparent in the nation...The time has come for Pennsylvania to adopt tried and true reforms to dramatically improve its financial transparency."

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Energy Policy

New Hampshire Governor's Veto Helps Majority of Ratepayers

Grant Kidwell and Kevin Kim | Energy, Environment, and Agriculture



The intent behind net metering is not bad. If a household wants to install solar panels or other types of distributed generation, they should do so, but they shouldn't expect to be paid a price so high as to burden consumers who do not want to take part of net metering.

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ALEC-FreedomWorks Legislator of the Week

Promoting Fiscal Responsibility in North Carolina

Representative Andy Dulin | NC-104

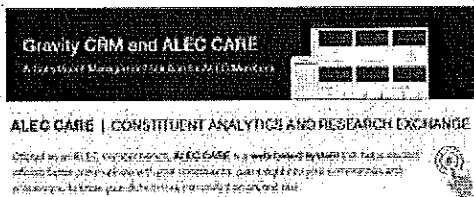


This week, ALEC and Freedomworks introduce **North Carolina Representative Andy Dulin** as this week's Legislator of the Week. Representative Dulin is an avid mountain climber and former Charlotte City Councilman who prioritizes job growth and fiscal responsibility, citing the efficiency of the 2018 North Carolina budget as a model of good governance.

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ALEC CARE

Lawmakers: Manage Constituent Relationships from One Simple Platform



What makes your constituents tick? Do you really know the pulse of your community on legislative items? The **Constituent Analytics Research Exchange (C.A.R.E.)** is your personal online account to help with just that. Not only track incoming issues of concern from constituents in your district but initiate contact by polling them on what matters most. To activate your own account today, get in contact with our C.A.R.E. Associate, Aaron Gillham, at agillham@alec.org.



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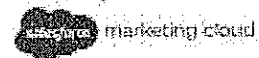


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From: Lisa B. Nelson
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Dear ALEC members,

I recently spent two days at the Ronald Reagan Presidential Library with several past ALEC chairman to film the 45th anniversary video. Hearing stories from ALEC leaders of the 1980s, 1990s and from more recent years illustrated the consistent track record of success and free-market reform that's taken place at the hand of ALEC members. **ALEC is the leading forum for legislator learning.** And, ALEC members are more professional, more collaborative and have a deeper understanding of how sound state policy can help all Americans lead a better life. As we come together in New Orleans next month to celebrate 45 years of ALEC, its important to remember **ALEC is more than a nonprofit member association.**

At ALEC, **every individual has the opportunity to lead change—to be a real problem solver.** In 1989, the first school choice bill in America was crafted by an ALEC member in Wisconsin. In 1991, after becoming ALEC model policy, 45 bills were introduced across the states—each one by an ALEC member. In more recent years, the same can be said for tax, pension, lawsuit and licensing reform; fighting overcriminalization; increasing business competition and reducing regulation. At nearly every point where state policy meets jobs and the economy, ALEC has and remains a convener and a leader. And, it's not because of ALEC. **It's because of you.**

You know that the most important decisions impacting our nation today are made in the states. In 1991, President Reagan encouraged ALEC members, "The critical questions of our day will be decided by state legislators:

how our children are educated, how they are protected from crime, how we safeguard our environment while building a strong and growing economy, how we end the scourge of drugs, how we care for those in need.”

The same is true today. States lead the way.

Keep that in mind as you prepare for the ALEC meeting next month. Attending the ALEC meeting is more than traveling to participate in a task force or listen to a panel discussion. **Attending the ALEC meeting is about being on the ground floor of societal change.** It's about offering your energy, enthusiasm and insight and receiving the same in return.

As you know from ALEC meeting recruitment emails, more than 1,000 people have already signed up because we have an exciting agenda including U.S. Secretary of Transportation Elaine L. Chao and U.S. Secretary of Health and Human Services Alex Azar; workshops on school security, American energy dominance, transportation funding, and many others. We'll also have a very interesting, experiential learning opportunity in the form of a free speech dessert reception following the Leadership Dinner, during which attendees will both have fun and leave with a better understanding of what it means to protect donor privacy or deal with college campus *speech codes*.

Over the years, I've heard a variety of descriptors for ALEC: ALEC is where the action is. ALEC is where good ideas get going. ALEC is the premier free-market organization for state legislators. While all those things are true, I think the best description is this:

You are ALEC. You make the free market work. And, you invest in one another at ALEC meetings and through other ALEC programing to make your communities and your states better. You are the rising tide that has an uncompromising commitment to limited government, free markets, and federalism.

I'm looking forward to seeing you in New Orleans from July 8 – 10, 2018.

Sincerely,

Lisa B. Nelson
Chief Executive Officer

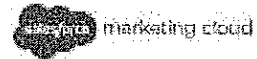


The American Legislative Exchange Council is the largest voluntary organization of conservative state legislators. ALEC works to advance the principles of limited government, free markets, and federalism at the state level.

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